

DOCUMENT RESUME

ED 437 411

TM 030 563

TITLE Reauthorization of the National Assessment of Educational Progress and National Assessment Governing Board. Hearing before the Subcommittee on Early Childhood, Youth and Families of the Committee on Education and the Workforce. House of Representatives, One Hundred Fifth Congress, Second Session.

INSTITUTION Congress of the U.S., Washington, DC. House Committee on Education and the Workforce.

REPORT NO House-Hrg-105-117

ISBN ISBN-0-16-057803-5

PUB DATE 1998-06-11

NOTE 132p.

AVAILABLE FROM U.S. Government Printing Office, Superintendent of Documents, Congressional Sales Office, Washington, DC 20402.

PUB TYPE Legal/Legislative/Regulatory Materials (090)

EDRS PRICE MF01/PC06 Plus Postage.

DESCRIPTORS *Educational Assessment; Educational Objectives; Elementary Secondary Education; *Federal Legislation; Hearings; Measurement Techniques; *National Competency Tests; National Surveys; *Test Use

IDENTIFIERS Congress 105th; National Assessment Governing Board; *National Assessment of Educational Progress; Reauthorization Legislation

ABSTRACT

A hearing was held on the re-authorization of the National Assessment of Educational Progress (NAEP) and the National Assessment Governing Board (NAGB). Mary R. Blanton, Vice Chair of the NAGB, spoke about its mission and plans for design changes under the re-authorization. She also outlined the role of the NAGB in overseeing the voluntary national test and discussed state-based competency measures. Michael F. Ward, North Carolina Superintendent of Schools, represented the Council of Chief State School Officers as he spoke on the importance of the NAEP and the NAGB. As a representative of commercial test publishers, Larry Snowwhite of Riverside addressed several key issues regarding the re-authorization of the NAEP. Martha Schwartz, representative of a grass-roots organization focusing on mathematics education, urged the inclusion of content-based learning standards with a reliable test to match the standards. Christopher Klicka, Executive Director of the Home School Legal Defense Association, expressed concerns that expansion of the roles of the NAEP and NAGB would lead to increased nationalization of education standards and testing. Ambrosio E. Rodriguez, of the Mexican American Legal Defense and Educational Fund, also testified about the importance of high standards. Nine appendixes contain the written statements of these witnesses and remarks from two congressmen. (SLD)

ED 437 411

TM

**REAUTHORIZATION OF THE NATIONAL ASSESS-
MENT OF EDUCATIONAL PROGRESS AND
NATIONAL ASSESSMENT GOVERNING BOARD**

HEARING
BEFORE THE
SUBCOMMITTEE ON EARLY CHILDHOOD,
YOUTH AND FAMILIES
OF THE
COMMITTEE ON EDUCATION AND
THE WORKFORCE
HOUSE OF REPRESENTATIVES
ONE HUNDRED FIFTH CONGRESS
SECOND SESSION

HEARING HELD IN WASHINGTON, DC, JUNE 11, 1998

Serial No. 105-117

Printed for the use of the Committee on Education and the Workforce



U.S. GOVERNMENT PRINTING OFFICE
WASHINGTON : 1998

52-482

For sale by the U.S. Government Printing Office
Superintendent of Documents, Congressional Sales Office, Washington, DC 20402
ISBN 0-16-057803-5

U.S. DEPARTMENT OF EDUCATION
Office of Educational Research and Improvement
EDUCATIONAL RESOURCES INFORMATION
CENTER (ERIC)

- ☒ This document has been reproduced as
received from the person or organization
originating it.
- ☐ Minor changes have been made to
improve reproduction quality.

- Points of view or opinions stated in this
document do not necessarily represent
official OERI position or policy.

BEST COPY AVAILABLE

TM030563

171

REAUTHORIZATION OF THE NATIONAL ASSESS-
MENT OF EDUCATIONAL PROGRESS AND
NATIONAL ASSESSMENT GOVERNING BOARD

HEARING
BEFORE THE
SUBCOMMITTEE ON EARLY CHILDHOOD,
YOUTH AND FAMILIES
OF THE
COMMITTEE ON EDUCATION AND
THE WORKFORCE
HOUSE OF REPRESENTATIVES
ONE HUNDRED FIFTH CONGRESS
SECOND SESSION

HEARING HELD IN WASHINGTON, DC, JUNE 11, 1998

Serial No. 105-117

Printed for the use of the Committee on Education and the Workforce



U.S. GOVERNMENT PRINTING OFFICE

52-482

WASHINGTON : 1998

For sale by the U.S. Government Printing Office
Superintendent of Documents, Congressional Sales Office, Washington, DC 20402
ISBN 0-16-057803-5

COMMITTEE ON EDUCATION AND THE WORKFORCE

WILLIAM F. GOODLING, Pennsylvania, *Chairman*

THOMAS E. PETRI, Wisconsin
MARGE ROUKEMA, New Jersey
HARRIS W. FAWELL, Illinois
CASS BALLENGER, North Carolina
BILL E. BARRETT, Nebraska
PETER HOEKSTRA, Michigan
HOWARD P. "BUCK" McKEON, California
MICHAEL N. CASTLE, Delaware
SAM JOHNSON, Texas
JAMES M. TALENT, Missouri
JAMES C. GREENWOOD, Pennsylvania
JOSEPH K. KNOLLENBERG, Michigan
FRANK D. RIGGS, California
LINDSEY O. GRAHAM, South Carolina
MARK E. SOUDER, Indiana
DAVID M. McINTOSH, Indiana
CHARLIE W. NORWOOD, JR., Georgia
RON PAUL, Texas
BOB SCHAFER, Colorado
JOHN E. PETERSON, Pennsylvania
FRED UPTON, Michigan
NATHAN DEAL, Georgia
VAN HILLEARY, Tennessee
MIKE PARKER, Mississippi

WILLIAM (BILL) CLAY, Missouri
GEORGE MILLER, California
DALE E. KILDEE, Michigan
MATTHEW G. MARTINEZ, California
MAJOR R. OWENS, New York
DONALD M. PAYNE, New Jersey
PATSY MINK, Hawaii
ROBERT E. ANDREWS, New Jersey
TIM ROEMER, Indiana
ROBERT C. "BOBBY" SCOTT, Virginia
LYNN C. WOOLSEY, California
CARLOS A. ROMERO-BARCELO, Puerto-Rico
CHAKA FATTAH, Pennsylvania
RUBEN HINOJOSA, Texas
CAROLYN McCARTHY, New York
JOHN F. TIERNEY, Massachusetts
RON KIND, Wisconsin
LORETTA SANCHEZ, California
HAROLD E. FORD, JR., Tennessee
DENNIS KUCINICH, Ohio

Kevin Talley, *Staff Director*
Gail E. Weiss, *Minority Staff Director*

SUBCOMMITTEE ON EARLY CHILDHOOD, YOUTH AND FAMILIES

FRANK D. RIGGS, California, *Chairman*

MICHAEL N. CASTLE, Delaware
SAM JOHNSON, Texas
MARK E. SOUDER, Indiana
RON PAUL, Texas
WILLIAM F. GOODLING, Pennsylvania
JAMES C. GREENWOOD, Pennsylvania
DAVID M. McINTOSH, Indiana
JOHN E. PETERSON, Pennsylvania
FRED UPTON, Michigan
VAN HILLEARY, Tennessee

MATTHEW G. MARTINEZ, California
GEORGE MILLER, California
DALE E. KILDEE, Michigan
MAJOR R. OWENS, New York
DONALD M. PAYNE, New Jersey
PATSY MINK, Hawaii
TIM ROEMER, Indiana
ROBERT C. "BOBBY" SCOTT, Virginia
DENNIS KUCINICH, Ohio

(II)

TABLE OF CONTENTS

STATEMENT OF MARY R. BLANTON, VICE CHAIR, NATIONAL ASSESSMENT GOVERNING BOARD.....	2
STATEMENT OF NANCY DOOREY, DELAWARE STATE BOARD OF EDUCATION, NATIONAL ASSOCIATION OF STATE BOARDS OF EDUCATION	26
STATEMENT OF MICHAEL F. WARD, SUPERINTENDENT OF PUBLIC INSTRUCTION, STATE OF NORTH CAROLINA, DEPARTMENT OF PUBLIC INSTRUCTION, ON BEHALF OF THE COUNCIL OF CHIEF STATE SCHOOLS OFFICERS, RALEIGH, NORTH CAROLINA	29
STATEMENT OF LARRY SNOWHITE, GENERAL COUNSEL, MCA ENTERPRISES, INC., RIVERSIDE PUBLISHING, CTB/MCGRAW-HILL AND HARCOURT BRACE, WASHINGTON, DC	33
STATEMENT OF MARTHA SCHWARTZ, MATHEMATICALLY CORRECT, SAN DIEGO, CALIFORNIA	35
STATEMENT OF CHRISTOPHER J. KICKA, EXECUTIVE DIRECTOR, HOME SCHOOL LEGAL DEFENSE ASSOCIATION, PURCELLVILLE, VIRGINIA	38
STATEMENT OF AMBROSIA E. RODRIGUEZ, ESQUIRE, MEXICAN AMERICAN LEGAL DEFENSE AND EDUCATIONAL FUND, WASHINGTON, DC	42
APPENDIX A -- WRITTEN STATEMENT OF CONGRESSMAN RIGGS FROM THE STATE OF CALIFORNIA	53
APPENDIX B -- WRITTEN STATEMENT OF CONGRESSMAN MARTINEZ FROM THE STATE OF CALIFORNIA	57
APPENDIX C -- WRITTEN STATEMENT OF MARY R. BLANTON, VICE CHAIR, NATIONAL ASSESSMENT GOVERNING BOARD	67
APPENDIX D -- WRITTEN STATEMENT OF NANCY DOOREY, DELAWARE STATE BOARD OF EDUCATION, NATIONAL ASSOCIATION OF STATE BOARDS OF EDUCATION	83
APPENDIX E -- WRITTEN STATEMENT OF MICHAEL F. WARD, SUPERINTENDENT OF PUBLIC INSTRUCTION, STATE OF NORTH CAROLINA, DEPARTMENT OF PUBLIC INSTRUCTION, ON BEHALF OF THE COUNCIL OF CHIEF STATE SCHOOLS OFFICERS, RALEIGH, NORTH CAROLINA	91

IV

APPENDIX F -- WRITTEN STATEMENT OF LARRY SNOWHITE, GENERAL COUNSEL, MCA ENTERPRISES, INC., RIVERSIDE PUBLISHING, CTB/MCGRAW- HILL AND HARCOURT BRACE, WASHINGTON, DC.....	101
APPENDIX G -- WRITTEN STATEMENT OF MARTHA SCHWARTZ, MATHEMATICALLY CORRECT, SAN DIEGO, CALIFORNIA	107
APPENDIX H -- WRITTEN STATEMENT OF CHRISTOPHER J. KLIKA, EXECUTIVE DIRECTOR, HOME SCHOOL LEGAL DEFENSE ASSOCIATION, PURCELLVILLE, VIRGINIA	117
APPENDIX I -- WRITTEN STATEMENT OF AMBROSIA E. RODRIGUEZ, ESQUIRE, MEXICAN AMERICAN LEGAL DEFENSE AND EDUCATIONAL FUND, WASHINGTON, DC.....	127
TABLE OF INDEXES.....	138

**HEARING ON REAUTHORIZATION OF THE NATIONAL ASSESSMENT OF
EDUCATIONAL PROGRESS AND NATIONAL ASSESSMENT GOVERNING BOARD**

June 11, 1998

U.S. House of Representatives
Subcommittee on Early Childhood, Youth and Families
Committee on Education and the Workforce
Washington, DC

The Subcommittee met, pursuant to notice, at 12:05 P.M., in Room 2175, Rayburn House Office Building, Hon. Frank Riggs [Chairman of the Subcommittee] presiding.

Present: Representatives Riggs, Castle, Martinez, Kildee, Payne, Roemer, and Kucinich.

Staff Present: Vic Klatt, Education Policy Coordinator; Sally Lovejoy, Senior Education Policy Advisor; Jo-Marie St. Martin, General Counsel; Kent Talbert, Professional Staff Member; Rich Stombres, Legislative Assistant; D'Arcy Philps, Professional Staff Member; Leslie Field, Media Assistant; Alex Nock, Minority Legislative Associate, and June Harris, Minority Education Coordinator.

Chairman Riggs. [presiding] Good afternoon, ladies and gentlemen. I call to order this meeting of the House Subcommittee on Early Childhood, Youth and Families for our first hearing on reauthorization of NAEP and NAGB.

I must apologize to our witnesses for the delay in beginning our hearing. I certainly apologize for any convenience that the delay caused it turned out that the scheduled start of the hearing coincided with a series of votes on the House floor and hence, we are starting over an hour late. But I apologize, and under the circumstances I am going to forego an opening statement so that we can go right to our panel or panels of witnesses, and I will submit my entire opening statement for the record and recognize my good friend and a ranking member of the Subcommittee, Congressman Martinez.

***SEE APPENDIX A -- WRITTEN STATEMENT OF CONGRESSMAN RIGGS FROM THE
STATE OF CALIFORNIA***

Mr. Martinez. Mr. Chairman, because we are starting late, I would do likewise, and submit my opening statement for the record and get right to the witnesses. Thank you.

***SEE APPENDIX B -- WRITTEN STATEMENT OF CONGRESSMAN MARTINEZ FROM
THE STATE OF CALIFORNIA***

Chairman Riggs. I thank the gentleman.

(1)

I call forward Mrs. Mary Blanton who is testifying on our first panel. She is the Vice Chairperson of the National Assessment Governing Board, commonly known as NAGB. She is an attorney and she is from Salisbury, North Carolina. Did I pronounce it correctly?

Ms. Blanton. It was close.

Chairman Riggs. Is it close to Plainhurst? That's what I would like to know.

Mrs. Blanton was appointed to the Board in 1990. We're delighted to have here this morning, and we look forward to her testimony and particularly, the perspective, of course, of the NAGB on the reauthorization of the Congressional statute that first created NAGB. So, thank you, Mrs. Blanton. Please proceed with your testimony.

**STATEMENT OF MARY R. BLANTON, VICE CHAIR, NATIONAL ASSESSMENT
GOVERNING BOARD**

Ms. Blanton. Thank you, Mr. Chairman. I appreciate your having us here today, and Congressman Martinez, thank you for inviting me. I am honored and pleased to be testifying before the Subcommittee on behalf of NAGB.

I will provide a brief summary of my written testimony to you orally, and ask that my full written testimony be entered into the record.

Chairman Riggs. Without objection, it will so appear. And that is for the other witnesses as well. Their entire prepared statements or written statements will appear in the record and will be published in their entirety as part of the transcript of today's proceedings.

Ms. Blanton. As you said, Mr. Chairman, I am Mary Blanton of Salisbury, North Carolina who was appointed to the Board in 1990 by Secretary Cavazos and reappointed in 1994 by current Secretary Riley. And, I am currently serving as Vice Chairman of the Board. I've served in that capacity since 1995.

I'm one of three members on the Board who represent the general public. Along with my husband, I am the parent of four public school children, ages 11, 13, 15, and 17, two of whom are here with me today. In my public life, I am an attorney and have a small-town general practice in my hometown of Salisbury.

My testimony covers the redesign of NAEP by the Board, and that's a process that has taken us over two years of deliberation to come to a consensus on the Board and with numerous public hearings and input by a broad cross-section of people about the direction that NAEP should take in the future. This process has led to a redesign of the program of the National Assessment such that, the role of NAGB as a policymaker, for our Nation's report card is a critical part of that change.

Some recommendation and thoughts about changes in our authorizing legislation, I will offer. I will offer thoughts on the Board's current assignment in overseeing the voluntary national test and will make a brief response, Mr. Chairman, to your questions about State-based competency measures.

The redesign of NAEP will make our Nation's report card more useful in the 2000 and beyond. Currently, we as Americans spend over \$300 billion on K-12 education, and yet, we have little data measuring how effective our dollars are in educating our students. NAEP is the only national measure currently available of the achievement of our students nationwide.

Our redesign of the National Assessment provides a sharper focus for our efforts and more efficiency in our design. The Board has proposed providing for faster reporting with our main goal being reporting six to nine months after testing of the students on the assessment to the general public. Parents, teachers, business people, will all know more quickly about our students' levels of achievement.

The redesign also sets a regular annual schedule of testing covering more subjects and providing more frequent benchmarks for our citizens. It also provides States with a predictable and biannual schedule of State report cards at the 4th and 8th grades in reading, science, mathematics, and writing. These subjects after consultation with the State's about the kind of data they want.

The State-level data has certainly been one of the most useful parts, we feel, of the National Assessment Program since the program was begun in 1990, of reporting at the State level. And, this data is sought after by both State policymakers and educators.

The independence of the Board is critical to NAEP's credibility and integrity into our efforts to carry-out this redesign. Board members represent a broad bipartisan spectrum of persons indicated in, and knowledgeable about education. It brings to the table State and local perspectives that have been heavily represented. There are parents, teachers, business people, State legislators, governors, principals, testing experts, and State and local administrators and policymakers on the Board. The quality of the Board members I have served with and their dedication has been exceptional.

Our responsibilities are to set the policy guidelines for the National Assessment including deciding the testing schedule, the test coverage in any subject, setting the performance standards for students on the test, and reviewing every test item that our students take. The Board's composition and independence protect NAEP from any specific ideology or partisan interests from dominating. The Board has historically had some ambiguity in its authority in some areas on NAEP which I note in my testimony. We've worked collaboratively with both the Department of Education and the National Center for Education Statistics to resolve these ambiguities.

But, of course, so long as different entities share responsibility for different aspects of the test, such ambiguities will be inevitable. I've come to see that even some seemingly technical

decisions have much larger policy implications than one might, at first, think. Of course, less ambiguity in the Board's authority would generally be better than more.

As to reauthorization, specifically, Congress must act in some fashion, to extend NAEP and NAGB beyond September 30, of this year. The Board feels strongly that if the authorization does not occur this year, an extension that would put NAEP and NAGB back on the minimum of a five-year cycle would be important. The time frame for developing our assessments run around five years currently, and involve a broad national-consensus process. A minimum five-year cycle for authorization prevents disruption in our assessment cycle and allow our schedule and our users, particularly our State partners, reliability in the assessment schedule.

The Board also feels that legislative changes such as a return to four-year terms for members provide a needed time for them master some of the intricacies of the NAEP program and to provide better policy guidance, and greater continuity for the program would be important. Additional or clarified authority for State NAEP annual data collection, and a shorter reporting schedule and continued achievement level reporting is also needed. I deal more fully with some of these issues in my written testimony.

With respect to the VNT, the Voluntary National Test over which you have given us sole responsibility we have undertaken to do what you've asked us to do. The Board has not taken any position in favor of, or opposed to, the Voluntary National Test. We have positioned ourselves and the testing contract to anticipate the expected Congressional advice regarding development of the test beyond the September 30 deadline, and we are also awaiting the results of the NAS studies which Congress mandated to give us guidance in that regard.

As to your proposal, Chairman Riggs, regarding establishing competency testing criteria for categorical grant aid to the States, of course, the Board has not discussed any such proposal and would not have a position on such a proposal. However, just speaking personally, it would seem to me that such a proposal would shift the Board's role from being a consensus-building and persuasive body which enables people to come to a common understanding of our educational objective in a collegial sort of way to that of a regulatory and coercive one.

I would also be a little concerned about the effect it would have on NAEP. We wouldn't want NAEP, which is a voluntary test that is given and adopted by many States and views, not to seem less voluntary or coercive in any way if State's felt that they were required to conform to some sort of NAEP standards in setting their own achievement levels in their States.

In conclusion, I would like to thank you for inviting me to testify. My experience on the Board has proven that a broad consensus of Americans are interested and eager to learn about how our children are learning in the schools across our Nation. They want a measure which gives information which is understandable and useful, which provides an acceptable standard for determining their performance. And this speaks not only to the national, but to the State and, perhaps, local levels as well. Such a measure voluntary and based on widely discussed standards and content is what NAEP provides.

The composition and dedication of the NAGB Board is critical to this enterprise. Board members I've served with from many walks-of-life had deliberated seriously and thoughtfully about what our Nation's students should know and be able to do on the National Assessment, and how to derive helpful information to them, their parents, their schools, States, and the American public about our investment in our Nation's future.

I hope you will allow us to continue our work, and with renewed vigor and increased effectiveness we will try to meet these goals in the coming years.

I'm happy to answer any questions you may have for me.

**SEE APPENDIX C -- WRITTEN STATEMENT OF MARY R. BLANTON, VICE CHAIR,
NATIONAL ASSESSMENT GOVERNING BOARD**

Chairman Riggs. Thank you, Mrs. Blanton. We very much, again, appreciate your appearance and your testimony. Let me ask you, first of all: do you know why NAGB and the department have chosen not to send a reauthorization bill or, at least, their suggestions or outline for a reauthorization bill to Congress?

Ms. Blanton. I do not, Mr. Chairman. I'm not sure we've been asked, specifically, as a board to do so, and I wouldn't want to speak for the department because I don't know what their position would be on it.

Chairman Riggs. Well, that's fair enough. If you haven't been asked, we'll ask now if it's not too late. But obviously, by your appearance here today you are giving us some idea as to how you think we should proceed with the reauthorization.

I do want to note for the record that it is our Subcommittee's intent to receive as much input as possible on the reauthorization of NAEP and NAGB and to that end on March 10 of this year, the Subcommittee staff is going to send out letters, I suspect, probably over my signature and Chairman Goodling's signature to over 60 education-related groups seeking written comments on issues related to the reauthorization. And accordingly, the Subcommittee continues to invite a broad range of witnesses and other experts and concerned parties to either testify or to communicate with the Subcommittee regarding their ideas and suggestions on how to proceed with the reauthorization and, for that matter, how to improve upon current law.

Back on the question of so-called Voluntary National Tests, and I know you're in a very delicate position with respect to the national testing initiative, but I'd like to get a better idea of how far along are you on that in the national test development contractors? Given the funding limitations that were placed in last year's annual spending bill I believe it was the annual spending bill for the Departments of Labor, Health and Human Services, and Education but, despite those or given those limitations you were still, I think, charged with certain planning and design of pilot testing and field testing and other work associated with national tests in 4th grade reading and 8th grade mathematics so I'd like to give you the opportunity to tell us the

work that you have done and how far along that work is with the Fiscal Year 1998 funding.

Ms. Blanton. I'll be glad to do that. As you know, when we received the contract and received oversight over the contract from the Congress, we immediately took action to meet the 90-day deadline you all had set for us to revise, accept or terminate the contract with the AIR for test development. We did meet that deadline. We changed the contract relatively significantly to end on September 30 which is the end of the funding period to allow us to position ourselves for appropriate Congressional guidance with respect to the 1999 appropriations and reauthorization in deciding whether to approve a second contract here.

So, basically, we have simply limited the contract period over which we authorized work to continue on the development to run through September 30; that's the first thing we did.

We added provisions to the contract which specifies specifically, that Fiscal Year 1998 funds shouldn't be used to pilot test, field test, implement, or administer any sorts of tests according to your legislative language that you provided. We also changed the contract so that test items were being developed during 1998. Pilot tests would not occur until, at the earliest, March of 1999 if test development is not prohibited beyond September 30. Field tests would not occur until March of 2000 and that was a substantial delay in the testing State programs.

And, again, looking ahead with the anticipation of any tests being given not until March of 2001, we have moved forward with our plans for developing work plans for the pilot test for inclusion on accommodation criteria and those sorts of things. Again, looking to both the Congress for guidance and also to the NAS studies which have been required under the legislation to give us some assistance in knowing what direction we'll be going once that information comes out.

I believe the Board has also requested funding for setting policies for NAEP and the voluntary test for 1999, has made the request already to the Congress on that.

In terms of our policy for accommodations for students with disabilities limited-English proficiency, as we were directed by the conference committee, we're going to be conducting public hearings in the fall based on recommendations of the NAS studies. We'll obtain independent advice from the contractor and from legal authorities on the legislative requirements under the test, and we'll be making recommendations subject to public review and comment on those issues in the fall after we have appropriate professional guidance.

Chairman Riggs. Mrs. Blanton, obviously, you're hear today speaking on behalf of the National Assessment Governing Board. But, I'd like to get your personal opinion as well, if the Board has discussed this and gone on record that, the collective opinion of the Board members with respect to so-called voluntary national tests, do you think that voluntary national tests are necessary? And, in that vein, do you think it is imperative that we have individual student test data or testing results in order to compare how one school district is doing versus another on how one stands on the State-by-State comparisons that can be made with the current NAEP assessment data? Do you see a need for that? And, is it really

imperative, important and instructive to have voluntary national tests so you can compare how a school child is doing in California with a school child, say, in Virginia or Michigan or Ohio? And, again, I'd like to get your personal opinion on that matter.

Ms. Blanton. Well, as I've said, the Congress gave the Board the responsibility for developing this national test. And as we understand our directive, the test is to be aligned as closely as possible with the National Assessment of Educational Progress to use the same achievement levels or standards that we have set on the national assessment and to develop the test in a way that would not harm the integrity of NAEP; that is our main concern as a board. It's to preserve the integrity and the usefulness of the National Assessment Program.

If we are going to be administering a voluntary national test, and I think it's the Congress' decision, not ours, as to whether or not this is an important thing or not. And the Board has taken no position. But, if we are going to administer, then by-golly we're going to do it in a way that is going to make it as useful and as reliable an instrument at the individual level as our National Assessment Program is at the group level.

Your comment about the comparison of a student in Oklahoma to a student in Virginia, that's possible now with the National Assessment Program to look at how students are doing in Virginia versus how students are doing in Oklahoma with respect to some national achievement standard, some performance standard that's been set on the National Assessment.

Chairman Riggs. But then, NAEP only gives us a representative sample.

Ms. Blanton. Exactly. So, that you're not able to look at an individual student and say, "this student is working at the proficient level on this test according to a national standard that has been established by the National Assessment." And you also don't have any international comparisons in the National Assessment Program currently built-in to that program. And certainly, that's something we look to try to expand upon in the future with our National Assessment. But, those would be items, again, that would be something that the voluntary national test might provide individual students and parents with that kind of information.

I think the way the test development contract looks now, it really isn't clear to me that that kind of data would necessarily be aggregated to give group comparisons. That's what NAEP does and that's what NAEP does very well. And I think, it's really a matter of the Congress deciding whether or not that individual student data is really something that's important for parents and teachers and others to have, and whether or not there is that link between the individual student, the standards that are set nationally on this National Assessment, and some international benchmarks, is something that is important.

Chairman Riggs. Well, I say based on the concerns that you have mentioned and elaborated on in your written testimony about what, I think, is a very modest proposal would be magnified many-fold with the national testing. But, I'd like to discuss that further on the second round.

I do want to get out on the table here at the beginning of our hearing that not all States participate in the NAEP. Is that correct?

Ms. **Blanton**. We've had almost every State. I think over the course of the State Assessment Program, almost every 50 States have participated. Not all of them have participated every time.

Chairman **Riggs**. Well, let me re-phrase that question then: How many States, not territories, and not DOD schools, are participating in the 1998 NAEP State assessments and how does this compare with previous years?

Ms. **Blanton**. There were 43 States in 1996, and 41 in 1998. So, there were two that did not participate in 1998 two less. It may not have been the same States.

Chairman **Riggs**. I see. So there are fewer States participating, although it's a small number. Do you know why that's the case?

Ms. **Blanton**. It may have had to do with started the first time, there were 37. So it's gone up in the last two times from the first iteration. I think, a lot of times it has to do with State budgets, with the ability of States to persuade schools within the State to participate, because individual schools don't get any data back. And so, it tends to be a burden on the State schools to participate in a sampling program like this. I think there are a lot of factors that play into whether or not a State chooses to participate or not, and it may also be the subject matter that is being assessed; that they're more interested in science than they are in reading that particular year.

But, I would say that the State support for the program and the State participation has increased since the beginning of the program. Another thing, I think that what the redesign will have to do with is that States haven't known, because we couldn't tell them, just what we were going to be assessing and in what grades and when, with any kind of regularity or reliability. And that's one of the key things in our redesigning. We want to be able to let States know, in advance of the testing years, what they can expect the tests to be, and in what year and at what grade levels, and in what subject matter, so that they can make their plans and get themselves ready for the program and advocate the necessary support among the schools to participate in the program.

I think, once we have a reliable schedule that extends beyond two years, States will come forward and be more interested in participating. And, I know you have some State people on the panel after me, and maybe they can speak to that.

Chairman **Riggs**. Is that one reason why you're recommending a five-year reauthorization?

Ms. **Blanton**. That's one of the reasons; yes. And also, we have gone ahead with our redesign and set a 10-year schedule so that we have a 10-year plan for what NAEP would assess over the next 10-year period. And we can let States know in this year, we will be

assessing science and math, and in this, we will be assessing reading and writing. You can depend on this. And that's something that we haven't been able to do for States. We've had a lot of shifts in the schedule because of funding problems and not knowing what our authority was going to be in the future.

Chairman **Riggs**. Thank you, Mrs. Blanton. Congressman Martinez.

Mr. **Martinez**. Thank you, Mr. Chairman. Let me first explain a built-in bias that I have. I always felt, since I was a student, that testing for the sake of comparing one child to another or one school district to another really doesn't achieve much, other than embarrassing someone and making someone else feel good. I say that because in among, let's say, a smaller environment of the classroom, kids that get A's, well now, they're bragging that got an A, and the kid that got a B is hanging his head in shame. Then he goes home to his parents and his parents are disappointed. But the testing only showed the comparison. They weren't tested to show what do we do about that kid that's getting the D, so that he can get an A? What do we do?

So, I go into my whole line of questioning with you understanding that built-in bias. And my first question is: If schools are going to make this information available to them because it's a voluntary program, and they need to know how their kids are doing based on the national standard, what motivates them to really want to know that information? Just for a sense of pride to see how their kids are doing as compared to other kids or to improve their school systems?

Ms. **Blanton**. Well, I would certainly hope Congressman that it would have to do with improvement. I think one thing that's interesting that the NAEP provides and I speak as a parent of students in North Carolina it's been interesting to me to look at schools in my State and how they've done on the National Assessment as compared to other States that have similar populations to North Carolina, southern States that have similar demographics.

And, you can look sometimes and see, well, this States seems to be doing better in these areas. Then, of course, the data can be broken down into the various sub-categories of the particular subject that you're looking at. You can see, perhaps, South Carolina is doing very well in comparing its 8th grade students in geometry, with very similar demographics North Carolina, that might lead North Carolina to look, for instance, at the curriculum in South Carolina and say, what are they teaching? How are they teaching differently?

So I see that there are uses that the State policymakers can make of the data that will improve education that will allow them to say, well what are you doing differently than we are that allows your students, who are very similar to ours, to perform better in this particular area? And, it seems to me that that State data that's now available has been a real rich line of that sort of information for State policymakers, for teachers, for district superintendents to look at and to analyze to provide that kind of information for improving education.

Again, since NAEP is a sample program, no single student takes the entire test. So, as a diagnostic tool for an individual student, it isn't meant to do that and it won't do that. But for systems, I think it can provide some diagnosis and some analysis and some conversations that may move curricular decisions, may move assessment decisions. You know, how do we assess these things? Should we be assessing them in a different way that would give us more information to our students?

Mr. Martinez. Well, that's good in that if the information then, motivates the school district to look at its system because it's doing worse than someone else; that is good. Then, I would have no complaint about that. But, that's what I've worried about.

That brings me to the next question I want to ask: In your testimony, you indicated that under the current design of the National Assessment test, too few subjects, too infrequently, and you just mentioned you don't do it on all subjects, and so the school boards that are availing themselves of this information are just doing it on those subject matters that you have tested, and you indicated that there are too few and that they were too infrequent. And, in response to that, the Board has called for tests to be administered annual at a national level and in the even-numbered years at the States level, and reports to be issued within six to nine months indicating the test when it sometimes it took 18 to 24 months to file a report.

I know that reports done in a timely way are going to be more valuable than reports that have taken a long time because things may have changed over that period of time and you really want to be current. It seems to me, someone might say they're incompatible goals, strictly from the point of view that you have the resources to condense this time frame and do effectively because the other consideration, the costs are going up the more subject matters you test for and report on. Are there enough resources to be able to do that effectively?

Ms. Blanton. We hope there will be. We've looked at the redesign in order to streamline and to make the national assessment more efficient. One of the problems has been over the years, since the 1960's, that more and more different kinds of purposes have been added on to the assessments. And, it's been intended to serve many different to be a research tool, to provide information to policymakers, and it can't serve many lords.

So, one of the things I think the redesign does is it streamlines the testing so that for instance, in our redesign when you bring a new assessment when you revise your current assessment say, in mathematics, and you establish a new framework for mathematics, we have planned to do that only once about every 10 years in between the tests that we will be giving in mathematics to provide benchmarks over time. Again, so that systems can see is there any difference in the way our students are performing over time.

It will be much more streamlined. It will have a lot less secondary kinds of questions asked, for instance, background questions. The analysis of the data will be minimized to provide for efficiencies in terms of cost. So, we're making efficiencies and streamlining the process and streamlining our purpose in areas that will, we hope, cut down the costs to enable us to do

more testing in more subject matters to provide more benchmarks over time.

Again, in a 10-year period in any one subject matter, we'd like to have, at least, two to three benchmarks so that people can see where we're going. And again, the 10-year framework, that's sort of one cohort of students moving through the school system and it's a 12-year schedule, but 10 years, we felt, would give a system sufficient time to see progress when that cohort of students have begun their schooling and have ended their schooling. It will have been about a 10-year period from 4th grade until 12th grade. They would be able to see whether they have made progress over time in the assessment of our students.

Mr. **Martinez.** That also is very good.

One last question that I want to ask since my time has run out here is: One of the primary purposes, you stated in the testimony, of NAEP is to provide fair and accurate presentation of educational achievements in reading, writing and other subjects included in the third national education goal regarding students' achievement in citizenship. And one of the things that has concerned many members like myself, especially the members of the Hispanic Caucus is that when these tests were done, if they were done in a way that children that had a language barrier problem, for example, if they were tested for reading and they had a limited-English proficiency, would it be more reliable information on their comprehension if it was done in an international language a language that they understand better?

There's two-fold. Students that come here that go to the kindergarten that never had any education before, but there are other young children who come here at a different age that have had some education in the country they come from whatever the country is and so, they would be able to be tested in that language, and so you have the two concerns. But when you get to the 4th and 12th grades, you may have some kids that came in with language barrier and trying to get on to English but still speak Spanish more fluently than English. So, you can understand the gamut of children you'll be testing and would be even part of the test. So you may select the test group that doesn't have anybody with a language problem in it.

But if you do have what is reflective of a total school population, is there, in your system of testing accommodations for that?

Ms. **Blanton.** We do try and the NAEP program, I think, has a history of pushing for inclusion of all students in the test. In fact, we have tightened up our exclusion criteria for States that if States have to include students unless there are clear and specific reasons for excluding students. And that includes the limited-English proficient students and other students with other disabilities.

You may be aware that in the last iteration of the math test at the 8th grade level, we did provide, as an experiment, a Spanish-language version of a mathematics tests. Again, our view was we wanted to see whether or not that Spanish-language version could be included as part of the main sample and whether there would be any differences in the kind of performance that was shown. And that was an experiment and the Spanish-language version wasn't part of

the main sample. But it was an experiment to see and we haven't gotten the results back from that one yet.

But, our view was, we wanted to see what students can do in mathematics. This isn't a test of reading and English. We want to know can they do these math problems? And so, we wanted to provide the ability for students who had not yet mastered English to be able to get at, and to perform on, the math test.

We're very conservative in the way we proceed with adding different categories into the test that may affect the trends that we have tried to develop so that we can say that the results that were in 1994 are comparable to the results in 1998. So, that's why we did that as an experiment.

As to the issue of reading, I think, the National Assessment has tested reading and English. That has been what our test has been, an English-language test. We did do for Puerto Rico, I believe, a reading test in Spanish. Again, for them specifically, some years ago.

But these are all issues. The inclusion issues are certainly ones that the Board looks at as a policy issue. We want to be inclusive. That has been our goal. And I think there is a difference between the National Assessment, again, which is a sample of the Nation's students, versus an individual test that may make for differences in accommodation policies between those two test. And, again, that's something that we're looking both to Congress for guidance on, as well as the NAS studies. And we will be holding public hearings in terms of the VNT and our accommodations and different policy's on it.

Mr. **Martinez**. Thank you very much, Mrs. Blanton. Thank you, Mr. Chairman.

Chairman **Riggs**. Congressman Castle is recognized.

Mr. **Castle**. Thank you very much, Mr. Chairman.

And Mary, it's a pleasure to see you again. I had the pleasure of serving with Mary on the National Assessment Governing Board. She is a far better member than I ever was. But, it was a pleasure to work with her.

My questions will be somewhat limited. I must say that I come from the school of maybe because when I was a governor in Delaware, I guess it was NAEP testing and found out that we weren't doing as well as we thought we were. And it was probably lesson for us. You always want to think your State's doing the best possible, but it sure as heck made us sit up and take notice.

Now, in Delaware, we may hear more about this shortly in the panel, but now in Delaware we do comprehensive testing at various grade levels for everybody, and may do some for advancement. And we publish a lot of comparisons of schools and testing and everything else

in our State.

I happen to believe in all that. I happen to believe that it's tremendous motivational factors in that. As a rather indifferent student myself, I can assure you that if there hadn't been tests, I probably would have never voted for Bork if I could have avoided it. So, I get some sense that testing makes everybody a little bit sharper for that reason.

I have one structural question you probably don't want to answer, if I had to guess. I know you don't have an opinion on it. But, that is the worse thing that nagged me in the NAEP testing from the Department of Education: Is this, in your judgment, a good idea or not a good idea? Are there educators who are for that who have been close to the situation? Or are there those who feel that you have to have some sort of control over it? Within the Board, as you know, it can be both positive and negative from time-to-time. And I think, perhaps, there is some people who feel if it was completely separated, you'd get it away from the Congress confronting it, where it doesn't have to answer to the Congress, it doesn't have to answer to the Department of Education and it would be fairer and kinder and gentler system, perhaps. Do you have any view on that?

I assume it hasn't been asked before. I know I'm late coming into the hearing.

Ms. Blanton. Congressman, yes; and first, may I say you were an excellent Board member. You set the standard for governors on our Board and had a knowledge of the particulars of our deliberations that I don't think has been equaled since you were tenured on the Board.

Mr. Castle. You must have had a low regard for governors going in since there were no standards set before then.

[Laughter.]

Ms. Blanton. I thoroughly enjoyed serving with you. Perhaps, standards have increased. I don't know.

I think I speak to that somewhat in my testimony. Again, I think this is something that the Congress would have to look at. I think your own, the Congressional Research Service did a study which made a couple of different suggestions. One, was to make the Board the independent and to give it sole authority over the National Assessment. The other one, was to make some incremental changes in the independence of the Board that might affect its authority over the program as a whole, but not to take it out of the current context that it's in where it has some mutual authority along with the Secretary in the Department and with the National Center for Educational Statistics.

I do think that is ultimately a decision the Congress has to make. Again, in your own experience on the Board, you would know that there are times when that sort of collaboration or unclear authority lines can be a problem. There are other times when it can be resolved. I think it sometimes does have to do with personalities that are in the particular positions where

the authority lines break down.

Currently, with the National Center for Educational Statistics and Pascal Forgione, we have an excellent relationship. We work very well together and I think, when we have differences, we're able to put them out on the table and thrash through them, oftentimes, with a fair amount of sparks. But, we usually can come to an agreement.

But there are areas where independence is really critical. I think one of those areas that I've mentioned is the Board membership, keeping it broad, representative of a large spectrum of the American public is very important. Also, giving it some autonomy to set policy and to have those who carry out our policy carry out our policies with respect to the things that could become politicized. I don't want to see this program become criticized. I think it's too important.

Mr. Castle. I wouldn't want my questions to reflect on Pat Forgione, of course, who is the superintendent of education in Delaware and there is no more energetic human being in the world. But, just in a broad governance-sense, I was interested in that.

Just one other question and that is this. When you have SAT's and various other testing mechanisms, you know they change the testing, every year they re-give it or whatever it may be, it always seemed to me and to assure Mr. Martinez I've never seen a group of people who were so inclusive in terms of their testing, worrying about people's different backgrounds; worrying about language barriers; I mean, they are extraordinarily focused on those kinds of issues, as sensitive to that as any group that I've ever dealt with in my life. So I never really felt that they a lot of the other very serious questions you were asking probably are being well managed by them if I had to guess.

But what always concerned me was the speed of all this. Because of deliberate way in which the Board functioned, it seemed to me that it took a long time to develop a test and a long time to get results or whatever it may be. Then, we'd switch from subject-to-subject and from class-to-class and I'm interested in every year of trying to find out what's happening or whatever it may. Is there any effort being made to try to expedite some of that and to try to move it along? Is that an advance since I was last really in-touch with the Board?

Ms. Bjanton. Absolutely, and that's really one of the main focuses of our redesign. I think it was the frustration of a number of Board members similar to yours; that is, that the results of our testing program were coming out so late after the actual testing occurred and that the reports that were being issued were so bogged-down and thick data files and were not accessible to folks who were layman and who weren't education researchers. A number of Board members, I think, felt that to be one of the critical things that needed to be addressed to make the National Assessment more accessible, more useful, more out-there for practitioners to use and mind and make something that would make a difference in their classroom or in their district.

The redesign really does try to do that. It makes the initial reports targeted towards the American public to be general, to be short, to get those results back within six to nine months of the actual testing which means within the next school year you'll have something back. You won't be waiting two years to hear what happened in 1994. You'll be getting results in 1996. We'll get the data out to those secondary analysts and to the State education policy-people so that they can use the data without having the Federal Government providing these huge reports to them.

Now that we have the technology availability that we have, that's going to be, I think, more efficient or less costly and will get the data out. So, yes; I think the redesign, in large part, was really to address those issues of swiftness of reporting and getting reports out in a readable and reasonable fashion.

Mr. Castle. Thank you very much. I appreciate it. I yield back, Mr. Chairman.

Chairman Riggs. Thank you Congressman Castle. Congressman Kildee is recognized.

Mr. Kildee. Thank you, Mr. Chairman. I was really involved in the standards and testing and debate in the Congress here when Roy Roemer was around and there was Lamar Alexander and with Dick Riley, even I was chief sponsor of goals 2000 really involved in it as a member of the committee and as a former school teacher.

I can recall at our early meetings, as we were addressing standards in testing that I coined the phrase "school delivery standards" which horrified some of the White House because they began to realize that if we had school delivery standards that might costing some money to help bring schools up to a certain standard. I remember Lamar Alexander was horrified by that expression and Dick Riley was very uneasy with that expression. So, we finally changed that "school delivery standards" into what we called "opportunity to learn standards."

My question is this: How can testing help us address that either school delivery standards or opportunity to learn? I ask that because the real fundamental question to my mind in this whole thing is: is the school failing or is the student failing? And if it's the school that's failing, how do we address that? How do we measure whether the school is failing or the student is failing? How do we address that? Could you just give some comments on that? It's a rather broad question, but I think we have to ask why we have testing; why we have assessment; and, how they relate to standards, both for the individual achievement and for the school.

Ms. Blanton. Well, first of all, Congressman Kildee, I would say that the National Assessment is set up really not to answer the question, why? But to answer the question, what is? And to provide data that can then allow other people to ask that question: Why are things the way they are?

And again, our focus is on student achievement over the subject matter. So, that's our main focus is to say how students are doing on the subject matter that a broad consensus of people

have said is important for them to learn in a particular subject and then, again, having set some standards of performance in that subject.

But I think the data, itself, can lend weight and can generate discussion and can generate legislative action of the State and the local level regarding these sorts of issues that you raised. Again, once in our redesign when we're doing a new assessment, we will be providing some background information on: How many students, for instance, in mathematics are taking algebra at the 8th grade level? How many teachers have the resources they feel they need in their science labs? We ask questions like that as background information to our test on a regular basis.

The data is out there. So when the American public or when the folks in a particular State see that their teachers don't feel they have the resources they need to teach the students or that they are not being able to teach certain aspects of the subject matter, if the data is there, then the policymakers, the decision makers and parents and the general public have something to, again, begin to address those issues with.

I don't think the National Assessment, itself, can give answers to those questions. All we can do is provide the data that will enable others, then, to move forward with alternatives for

Mr. Kildee. Then it would not be your group who would say, for example, that if we'll reduce class sizes, that that does tend to elevate the scores of the students who are in those classes. For example, the Flint, Michigan program the last five years, Flint, where I taught school, has the maximum of 17 students in classes K through 3, and that has elevated the scores. Do you evaluate that or do we put the two together and try to decide?

Ms. Blanton. Again, that might not be a question we would ask: How many students are in a math class? But, it could be a background question. Again, that's something that the Board takes an interest in. What are the appropriate background questions to ask.

One of our policy requirements is that every background question that is asked is directly linked to achievement, directly linked to the subject matter study. So, taking that as an example, that might be something that could be asked and the data collected. Then, if you're in a State that has large numbers of children in your elementary schools and you see that the kids in Michigan are doing much better at the 4th grade in reading, you might ask, why? And one of the differences that you might find is that they have much smaller classes.

Again, we don't provide the analysis that says this is why you're doing better because we don't have that capacity and that's not our purpose. Our purpose is simply to try to say how students are doing, and then, to provide some background data that may inform further conversation and further analysis.

Mr. Kildee. So, you could seek that information of the class size?

Ms. **Blanton**. Yes, that's right. Mr. Truby, who is our executive director, says that, in fact, California is a good example where they use NAEP data of the achievement of their students in reading and it ended-up reducing class size in order to try to improve the So, I think that is an example where the NAEP data has made a difference in the State's determination of what it was going to try to see if helped to improve.

Mr. **Kildee**. Yes. Thank you very much. Thank you, Mr. Chairman.

Chairman **Riggs**. Thank you, Congressman Kildee, and also for your past work over the many years during your service in Congress.

I would ask the indulgence of our second panel of witnesses so we could pose a few more questions to Mrs. Blanton because I think there is some other important areas we should cover before we excuse her.

Mrs. **Blanton**, listening to Congressman Castle's question to you and your response, hearing you talk earlier about trying to make international comparisons which, I think, is a very "dicey" thing, it struck me that while your redesign objectives are laudable should, perhaps, we ought to back-up and maybe even redefine the NAGB's role? I get the impression that perhaps, we're trying to do too much testing in too many subjects. I just wonder if we ought to streamline and simplify, and if you will put more of an emphasis on NAGB's role in helping to ensure learning in the core academic subjects, the basics? And, that we run the risk of getting pre-far field here when you've got a bunch of other subjects, when you start talking about international comparisons, when you talk about yes, the Congressionally mandated involvement of the NAGB in developing the voluntary national test.

Do you think that NAGB's trying to do too much, given its limited resources and staffing?

Ms. **Blanton**. I think, with the redesign that what we are undertaking to do is quite manageable. And, I think it is important at the national level. Now, at the State level, when you look at our proposal for State-by-State assessment, we are looking at the core subjects. If what you're referring to as core subjects are reading, writing, mathematics, and science.

Chairman **Riggs**. That's correct.

Ms. **Blanton**. At the national level, I think the other subjects we test are critical. I mean, we want to know: do students know American history? We want to know: do students know geography? We want to know at certain grade-levels: are students mastering a foreign language? So, at least, at the national level, to have some data on these other, what I would also consider core subjects for students graduating from high school, we need some kind of information about how our students are doing.

Chairman **Riggs**. But I would submit to you, if our kids are learning in the core academic subjects, the basics, the three R's or whatever you want to call them that, they're going to be

BEST COPY AVAILABLE

able to learn well in the other subject areas.

Ms. Blanton. And again, I think, the initial legislation that provided for the National Assessment referenced specifically, sort of, civics and citizenship and the importance of those area. I would see that as being very important.

Chairman Riggs. But, obviously, this is our opportunity to re-visit that particular question.

It is my understand that the NAEP frameworks for 4th grade reading and 8th grade math are getting somewhat dated. They were first developed in 1989-1990 and 1988-1989, respectively. Do you agree and if you do since those frameworks were developed through a somewhat controversial national consensus-building process, how do we update the frameworks? And, have the States that participate I guess this is a double or triple question I have the States that are participating in the NAEP, have they ever specifically and explicitly endorsed these frameworks?

Ms. Blanton. Well, in terms of endorsing them, I don't think so. Again, remember, this is not a curriculum framework. This is an assessment framework.

Chairman Riggs. I understand that.

Ms. Blanton. There is a difference there. The mathematics framework was actually updated, I think, in 1994. It wasn't completely revised, but there were changes made in the framework. Yes. Our frameworks have been one of the most popular publications we've put out.

Chairman Riggs. Do they need to be updated?

Ms. Blanton. I think, mathematics, we're going to be updating in 2000, maybe 2004.

Chairman Riggs. But I guess we'll be making a decision about whether to

Ms. Blanton. So, both of those are up for revision, I think, if the Board feels that there are enough changes that need to be made in the up-and-coming years very shortly after the turn of the century.

Chairman Riggs. But I guess we, from our perspective, could perhaps, encourage or even hasten that updating?

Ms. Blanton. Yes, and no. Here's the trade-off you get. As a program that tracks trends, you can't have too much change and still have a trend-line. Again, that's our proposal on the 10-year plan. That's why we think that once the framework is developed, the basics in reading, the basics in mathematics, aren't going to change that much. We want to protect the assessment program from fads and from particular teaching methods and these sorts of things. We're looking at the fundamentals of what students should know and be able to do.

Those things aren't going to change drastically from one 10-year period to another. There may be some adjustments depending upon what schools across the Nation are emphasizing and wanting to be in line with that sort of thing, but our view is, in order to have some sort of trend-line so that we can compare: how students did in 1990; how they did again, in 1994; how they did again, in 1996; and to know that we're not comparing apples to oranges. Those frameworks have to stay pretty much stable over that period of time. If we change them too frequently, then, we lose our ability to

Chairman Riggs. So, it's your testimony, your position on behalf of the NAGB, that those intervals in the overall trend time period are sufficient?

Ms. Blanton. Yes, I think so.

Chairman Riggs. So, in other words, when we test in reading and math long term trends, it's going to be based on frameworks that are at that point in time, almost a decade old. I know in my home State, at least, in California, particularly with the subject of reading, maybe math, that's enough time to go from whole language back to phonics, back to whole language and back to phonics.

[Laughter.]

Ms. Blanton. But again, Chairman Riggs, what you're talking about there are methods of instruction. And what we would be looking at over that period of time is that regardless you're going about instructing these kids, how much do they know? And that issue shouldn't change.

Chairman Riggs. I think that's a good point. I'm interested in, and I'm going to ask for very short responses, if I can, and perhaps, this would be more appropriate for you to address in writing: Getting a better understanding as to the responsibilities and duties of NAGB, vis-a-vis, the NCES with respect to the NAEP test, I'm glad Congressman Castle asked the question about that perhaps, NAGB and NAEP being completely independent of the Department of Education as opposed to NAEP and NCES being sort of, housed in the Department of Education.

But I want to get to a couple of other subjects very quickly, and that is: The status of your study to link the State assessment in North Carolina in Maryland to the NAEP. I think it's very important.

And a related question would be: How many States are currently imbedding or attempting to embed the NAEP questions in their State assessments?

And, Mrs. Blanton, why don't you go ahead and introduce at this point in time for the record your companions.

Ms. **Blanton**. Yes. This is the executive director of the National Assessment Governing Board, Roy Truby, and one of our staff members, Ray Fields, are here to give me assistance today with anything that I don't know the answer to which is a lot.

Chairman **Riggs**. I was remiss. I should have invited them to come up since I know both Roy and Ray. Why don't you gentlemen be seated at the table, if you don't mind, real quick.

Ms. **Blanton**. I would say on the North Carolina issue, I know Mike Ward is going to be testifying before you, our chief State superintendent, and I've been just extremely pleased with how eager North Carolina has been to make use of the National Assessment Program. We have been doing a study looking at the overlap between the North Carolina mathematics assessment that's given as a State assessment and that my children have taken much to their delight or chagrin I don't which and to the National Assessment Program.

I think, we're again, this a just sort of a model program that we've doing with North Carolina through the National Assessment Governing Board to see how States can make use of the National Assessment and what kinds of linkages can be made. I don't think we've issued a report on that yet. Certainly, there hasn't been any formal linking of the North Carolina assessment to NAGB.

Chairman **Riggs**. We'll ask Dr. and superintendent Ward to, perhaps, give us an update on that because that would be interesting to see if, in fact, there is an academic or substantive basis for making those kind of correlations between Statewide assessments and the NAEP.

Ms. **Blanton**. Yes, I think it's a very interesting

Mr. **Truby**. We will have a report on that the first of next month. You know it's not just a matter of linking the test and the test items, you have to go back and see if the curriculum is similar. What percentage of algebra and geometry do they have in the 8th grade as opposed to NAEP. So, if the curriculum matches then, you look at the items and then, hopefully, you can find a link and it's not easy to do.

I can tell you, in advance, the North Carolina link looks like it might be pretty close, but we won't have a final answer to that until about the first of the month.

Chairman **Riggs**. And are those the only two States?

Mr. **Truby**. Those are the only two because we are a very small organization. We can't do this 50 States. So, what we try to do, this model was expensive, and what we want to do is develop a prototype at some other agency like, Achieve or maybe some of the groups here that Achieve State school officers or the school board association, somebody might pick-up that prototype and do this for States that want it done.

But, now, especially with the Voluntary National Test and a small staff, we can't. But we think we have been able to develop a prototype so that others could use and it might even cross

other subjects. We're doing this math. If they could use this process, and follow it. So, we're documenting it so that it's exportable.

Chairman Riggs. How did you pick North Carolina and Maryland?

Mr. Truby. They sort of picked us. We indicated an interest in doing this, and then, we had more States that really wanted to do this than we had the funds, at the time, to do. But, North Carolina and Maryland were first and loudest and most interested, so we sort of picked each other in this.

Chairman Riggs. Back to my other question to Mrs. Blanton or to you gentlemen if she would like to defer to you. How many States are imbedding NAEP questions in their State assessments? Do you know how many States are doing that now?

Ms. Blanton. We really wouldn't know that. They would, obviously, be questions that had been released to the public. So, they are in the public domain and could be imbedded. I do know that in 1994, North Carolina, again, did imbed NAEP mathematics questions from the 1992 assessment and did a linking study at that time to see if the North Carolina math assessment could be linked to the NAEP assessment. There was a report issued on that effort. And, I believe, there was one other study done in Georgia, if I'm correct.

Mr. Truby. I think the academy will include this as part of their overall study on linking as well.

Ms. Blanton. And I think, perhaps, Mike Ward can probably speak to that as well.

Chairman Riggs. While I have all three of you seated here at the witness table, is it your position, particularly, if you look at this imbedding question where States might I'm not saying they are but, might imbed many questions in their State assessments, that the testing or assessments really don't drive curricula and curriculum decisions? That's the contention, of course, of Chairman Goodling and many other people who have expressed reservations about any Federal Government involvement in individual student tests.

Chairman Goodling, of course, being a former educator is also of the opinion that we already have enough tests. We don't need more tests. But, I understand his concerns and the concerns of many of my colleagues about guarding against Federal involvement. Not just because it would be more Federal intrusion in public education which is, quintessential, a State and local responsibility. But, again, because you don't want to have any kind of nationally mandated curriculum.

Let me just put that out there as a statement, not so much a rhetorical question because then, I want to go on and ask you one other question. And I thank Mrs. Blanton for testifying or, at least, mentioning her testimony in this proposal. You may know that Congressman Martinez and I actually, with Congressman Martinez in the lead, co-sponsored a bipartisan resolution that, I believe, is scheduled for the House floor early next week that calls on State and local

BEST COPY AVAILABLE

educational agencies to address the problem of social promotion.

So, suffice it to say, and I know Congressman Castle shares that concern. I believe we voice voted that bill out of our full committee. I believe, it will get substantial, if not, overwhelming support on the House floor. So there is Congressional interest and concern in this whole question of student promotion and looking at procedures for student advancement, or conversely, retention in State and local school districts.

Now, what I've been talking about is, perhaps, linking certain Federal taxpayer funding for certain Federal categorical education programs to a requirement that State and local school districts have in place some system of competency-based advancement for grade-to-grade advancement for graduation. Perhaps, that would restore more meaning and more market wares to a high school diploma. But, our concern I believe, is that we want to make sure that the students are learning in the core academic subjects.

One of the things that we're considering doing I'm considering doing is perhaps, asking NAGB to take some role here. It could be nothing more or less, for example, doing a report on the different criteria and the different systems in place out there across the country for student promotion. Gathering that data could, perhaps, act a clearinghouse at the national level.

But it seems to me that without getting into the area of national tests or national educational goals, it would be a good thing, perhaps, going so far again, as to conditioning Federal taxpayer funding for certain types of Federal categorical aid programs to require State and local educational agencies to have in place some system of competency-based advancement.

So, I want to make sure that, particularly, while I have all three of you at the table, that I have an opportunity to put that to you and get your response. If you want to elaborate at all, Mrs. Blanton, on your comments or written testimony, I want to give you the opportunity to.

Ms. Blanton. Well, I don't think I said in my oral testimony, but something that I do say in my written testimony and that is that it struck me that Achieve, which was a privately funded group under the auspices of the National Governor's Association. One of its main purposes was to provide just the kind of information you're talking about, that is a clearinghouse to provide information about State competency testing, State assessment plans, and State standards. That data my actually be becoming available as Achieve goes about gathering the data.

I would say, similar to what Mr. Truby was just saying a minute ago, the NAGB staff and, of course, the NAGB Board, we are people from all over this country. We are not Washington people. We come in to town four times a year to do our work as well as doing our committee work and having lots of teleconferences. And our staff is very small and we've already got the NAEP and the VNT. To add this, with the current staff level and the Board constituted the way it is, I would be surprised if we could do an appropriate and adequate job to a new mandate of that nature, and not, somehow, have our other duties impinged upon. And I would not want anything to impinge upon our duties with respect to the National Assessment Program

because I really think that is crucial.

Again, I guess without knowing exactly how you would frame your proposal, it's hard to know whether or not those who were being certified as having the appropriate standards would feel that there is some connection between the National Assessment Program and this certification and I would not want that kind of coercive power to influence States in terms of their willingness to participate in the National Assessment Program.

I think it's something that, again, that there may be some other groups out there that are providing some of this information or, at least, making it available for the first time in terms of looking at the State and taking some stock of what various States are doing in terms of their costs.

Chairman Riggs. Well, again, I want to make clear, and I appreciate your comments, but, I want to make clear what I'm talking about because I haven't even conferred with any of my colleagues on this and that is: Requiring the States to certify that they have in place some system of competency-base if they expect to address this problem of social promotion. And perhaps, again, linking that to their eligibility for certain types of Federal taxpayer funding for education, whether it be specific types of categorical programs or for all, for that matter, all Federal education aid with the possible exception of IDEA because of the civil rights implications of that statute.

If there would, presumably, involve some sort of State and locally set educational goals, measurable goals, and some sort of State-designed standardized test or assessment for measuring progress toward achieving those goals, our interest would be in knowing that such a system is in place A and B, perhaps in gathering some data where we could attempt to make, as I think you put it, linkages or correlation from one State to another and gathering that data for the purposes, of course, acting as a clearinghouse and sharing that information between States.

But, to me, it seems somewhat of a good-faith compromise effort between the people who say, no, we want Federal Government hands-off in this area and those of us who have a real concern about student promotion practices in America in the all too common, too prevalent problem of social promotion.

I appreciate you giving me an opportunity to express my views and elaborate on the question that we posed to you. Congressman Martinez.

Mr. Martinez. Thank you, Mr. Chairman. I'm going to be very brief because I've got an appointment that I've got to get to before too long and I'd like to hear some of the testimony of the next panel. So I just have two quick questions in regard to your recommendations numbers 3 and 4. "The taking of modest action expecting merely EP legislation consistent with the governing Board's policy."

Now the governing Board is the governing Board. It does set the policy. What you're simply asking for is a codification of a policy is set in place in legislation?

Ms. Blanton. I think, what we're referring there is taking some steps to allow the governing Board to maintain and expand some of its authority. And I think, specifically, I mentioned the four-year member term was one thing that we would like to return to, rather than the three-year term that's currently in the legislation and several other minor things. I think, that we looked at the five-year reauthorization schedule, rather than its current three-year. And I believe, I mentioned a couple of others in there.

Mr. Martinez. There was one here that addressed the issue of independence of the governing Board. Right below it, the place where the Congress should deliberate on the nature of the degree of the independence that is appropriate for the governing Board to exercise.

Ms. Blanton. Yes. And that, again, I think, there have been some communications back and forth between the Board and the Subcommittee after the legislation and the last legislative changes that were made with respect to possibly changes. One of things, I think, is the delegations of authority with the Secretary in terms of some of our authorities to act without having to refer things back to him. Another one is nominations to the Board before the 1993 legislation, I believe, the Secretary chose Board members from a slate that was provided by the nominations committee at the Board, and the 1993 legislation removed that requirement, although, again, Secretary Riley has continued to request that the Board provide him with a slate of nominees for those positions.

Yes, an age-based reporting is currently a requirement under the law and we would like to move to grade-based reporting rather than age-based. Really, we've doing primarily grade-based reporting for a while now. But, we'd like just have the legislation changed in that way. So, I think there were three or four other changes in the legislation that we would propose.

And if Mr. Riggs would like us to provide in writing some sort of proposal for reauthorization, we'd be happy to do that.

Mr. Martinez. I think it would be a good idea. Mr. Riggs nods his head, yes. Thank you very much, Mr. Chairman.

Mr. Truby. Just one footnote on that, many of the delegations of authority provide NAGB much of its bureaucratic independence. We've always had intellectual independence and we don't clear speeches; we don't clear reports; but with the ability to let the Board hire its own staff to do its own contracting, many of those really actually came when David Kerns was the Under secretary and those delegations have been honored by Secretary Riley. But those delegations could be rescinded at any time, and so, the notion of codifying those delegations would assure the independence of future Boards.

Chairman Riggs. Congressman Castle, any further questions?

Let me ask, I'm sorry to do this Mrs. Blanton, but I want to ask you one other question, and then we'll call for the other panel. And, that is, that there were, in the early 1990's a number of studies done by GAO, by the National Academy of Sciences and others, that were critical of how NAGB went about setting the performance levels of basic proficient and advance. How has NAGB responded to these studies?

Ms. **Blanton**. Well, I think we have responded by incorporating a number of the recommendations made by the GAO study and by the NAS study. Our current achievement level setting process is probably one of the most comprehensive and validated processes that exists in the role of achievement level setting. We feel very confident of the process that we're now using. We're always ready for new suggestions and for modifications that will improve our ability to set achievement levels that are defensible, reliable and that represent a broad consensus of what students should do and should be able to do. But we feel very confident that we have addressed most of the suggestions that were made in those early studies.

Again, we were in the infancy of doing this in 1990 and 1991. We've come a long way since then. In both our redesign, and in our current procedures, we have addressed many of those concerns.

Chairman **Riggs**. Okay. Well, since we're going to be corresponding, obviously, let me ask you to direct staff to respond in a little bit more detail to those concerns and how you've responded to those concerns.

Mrs. **Blanton**, thank you, and gentlemen for being here today. We very much appreciate your participation and your very helpful testimony. We look forward to working very closely with you as we proceed here in the coming weeks on the reauthorization legislation. You are excused.

I call forward our second panel of witnesses, and I recognize Congressman Castle, the vice Chairman of the Subcommittee to introduce our first witness.

Mr. **Castle**. Well, thank you, Mr. Chairman.

And I'm pleased to introduce Nancy Doorey, who is here with us today and was selected by the governor of Delaware to serve a six-year term on the Delaware board of education and she brings a wealth of education to her testimony, even beyond what I do after reading her resume, as a teacher in elementary school, as well as college; she was the founder and executive director of the Copperplate Regional Library Foundation to construct the new regional public library; chaired the Statewide goal 200 educational technology committee as a candidate. Her doctorate is in educational leadership at Columbia University. She pursued further education and these are just among many other accomplishments.

She's been an outstanding member on the board, which is going through a lot of change, and I think, positive change frankly, in Delaware. I know it's been at the heart of a lot of that. So we appreciate all that she has done there.

**STATEMENT OF NANCY DOOREY, DELAWARE STATE BOARD OF EDUCATION,
NATIONAL ASSOCIATION OF STATE BOARDS OF EDUCATION**

Ms. Doorey. Thank you. Good morning, members of the Subcommittee. On behalf of the National Association of State Boards of Education, I thank you for the opportunity to appear before you and to discuss the National Assessment of Educational Progress and the National Assessment Governing Board, NAGB. Student assessments are one of the most important and high profile issues in education today. As a member of the Delaware State board of education, I am proud to serve a State that is nationally recognized as a leader in the discussion and policy evolution of standards, assessments, and now, accountability.

Members of the Subcommittee, we appreciate your recognition of the role of State boards in American education. We have extensive areas of jurisdictions, most importantly for the purposes of today's discussion. The State boards have authority over State assessment policy, including participation in NAEP, and therefore, have a particular interest in any modifications to this program.

From a policymaker's perspective, NAEP has long been a valuable tool in our efforts to improve schools, allowing us to track achievement level of our Nation's students by utilizing a consistent set of academic frameworks. And it's absolutely essential that the frameworks remain consistent. In the 1990's, NAEP was redesigned to be more user-friendly for the States. NAEP now reports State-level results increasing the relevance to State policymakers and allowing the general public to make achievement comparisons across State borders and over time.

In addition, NAEP's subject frameworks are invaluable to State educational leaders who use them to help develop and benchmark their own content and performance standards and to inform policy decisions.

Given NAEP's success, it's tempting to expand the program beyond its original purpose in order to address a multitude of other pressing needs for assessment data. For example, some people want district school or even individual results. We urge you to avoid this temptation, particularly in terms of providing school or individual-level data for a number of reasons.

First, NAEP fulfills a vital need for a non-political, criterion-referenced nationally representative test. While other assessments are used or misused for across State comparisons, the SAT for example, none have NAEP's controlled sampling or clearly defined achievement criteria which allow for truly accurate comparisons.

The fact is, NAEP is successful because it addresses a particular need and has a clearly focus. As we in the States know, no single test can do it all. That is why States establish assessment systems. It would be unfair and unwise to burden NAEP with extraneous provisions that move it away from its original purpose. Inevitably, a test asked to everything well, does nothing

well.

Second, providing individual, school or even small district NAEP data inordinately magnifies the importance of these scores. It would inappropriately raise the stakes for individual students and schools. Beginning earlier in this decade, State-level data was made available which provided de facto stakes, since these scores are used to help determine how well the State system is performing and the media is quick to pick-up on it. We think this is appropriate.

However, many problems arise when you have such de facto stakes for schools or for individuals. Legislating even minor accountability provisions into NAEP will effectively hold students to two different sets of standards Federal and State. Such an approach, undermines the States' educational authority and places the Federal Government in the undesirable and, we believe, unwanted position of enforcing national standards, and perhaps, a national curriculum.

Finally, there are significant costs associated with school-level results because of the scientific need for a much larger sample size than is currently in place. NAEP was never intended to be given as a whole test to each student. Any attempt to have individual students take the entire test would entail substantially shortening the tests, and thus, drastically reducing their overall value to us.

In another important area, the full participation of all students in the testing samples is a great concern to NAGB, an organization in the vanguard of inclusive educational policies. We want to commend you again for acknowledging this need by requiring the inclusion of all students in IDEA and we hope this principle testing is embraced at the Federal level through NAEP, as it has been imposed upon the States through IDEA.

Perhaps the most critical issue is the need to insure program stability, and thus, the validity of the results over time. Toward that end, we ask you to consider an authorization length beyond the usual five-year period.

Before I make my final, most important point about the reauthorization of NAEP, I want to briefly comment on a proposal to make Federal categorical aid contingent upon States instituting high-stakes competency tests at every grade level and submitting their content and performance standards to NAGB or the DOE for comparative analysis. While we appreciate the underlying intent to encourage every State to establish an assessment system and to prohibit social promotion, the idea as outlined to us is ill advised.

As I noted, NAGB strongly supports the underlying premise of the proposal, primarily that all States have high standards and that every State have an assessment program in place. However, we believe it is up to each State to develop its own high-standards accountability system with input from the public and interested parties.

The last comment we would like to make has to do with the 26-member National Assessment Governing Board responsible for overseeing NAEP and issuing policy guidelines. There are certain interests that must serve on NAGB. Among the State education policymakers,

governors, State legislators, chief State school officers, and State boards, only the State boards do not have two representatives serving on NAGB. This is a critical oversight. As noted earlier, State boards of education have authority over State assessment policy. As States continue to seek new ways to utilize NAEP, it is imperative that NAGB have sufficient representation from the very people who are responsible for incorporating NAEP data into their State's assessment and standards policies.

For this reason, we believe the requirement for a second State board of education member on NAGB, thus, equalizing their representation among State education leaders, is necessary.

Of course, we make this request to you, Mr. Chairman, and your Subcommittee while acknowledging that you have already recognized the role, responsibility and expertise of State boards on assessment policy by inviting NAGB to testify before you. And again, I want to thank you for this opportunity to speak at this hearing today. We look forward to continuing to work with you on the reauthorization of NAEP and NAGB and I would be pleased to answer any questions you may have after my fellow-testifiers have finished.

***SEE APPENDIX D -- WRITTEN STATEMENT OF NANCY DOOREY, DELAWARE
STATE BOARD OF EDUCATION, NATIONAL ASSOCIATION OF STATE BOARDS OF
EDUCATION***

Chairman Riggs. Thank you, Mrs. Doorey, and I'm sorry I just stepped out while Congressman Castle was introducing you and I didn't hear if he was the governor who appointed you to the Delaware State Board of Education.

Ms. Doorey. No, sir, he was not. It was his successor.

[Laughter.]

Chairman Riggs. Do you know, just very quickly, aside, do you know how many in a given year how many Delaware school children take the NAEP? What percentage?

Ms. Doorey. No, I do not, sir.

Chairman Riggs. Okay.

Dr. Michael Ward is the superintendent of public instruction for the State of North Carolina and is here today testifying on behalf of the Council of Chief State School Officers. Dr. Ward, Superintendent Ward, thank you for being here. Please proceed with your testimony.

***STATEMENT OF MICHAEL F. WARD, SUPERINTENDENT OF PUBLIC
INSTRUCTION, STATE OF NORTH CAROLINA, DEPARTMENT OF PUBLIC
INSTRUCTION, ON BEHALF OF THE COUNCIL OF CHIEF STATE SCHOOLS***

OFFICERS, RALEIGH, NORTH CAROLINA

Mr. Ward. Thank you, Mr. Chairman.

Mr. Chairman and members of the Subcommittee, I am Mike Ward, superintendent of Public Instruction for the State of North Carolina. It is my privilege on behalf of the Counsel of Chief State School Officers and my State to testify on the importance of the National Assessment of Educational Progress.

With apologies, I need to alert the committee that I will need to leave shortly after 2:30 because of a flight schedule, and I apologize for that conflict.

NAEP is essential for measurement of national results for measurement of State-by-State results to relay performance of U.S. students to those of other Nations. And it is essential if we are to provide voluntary individual student test scores in reading and mathematics which can be related to State, national and international performance.

In response to the request of the Committee on Education and Workforce for comments on the reauthorization of NAEP and the National Assessment Governing Board, NAGB, CCSSO's executive director sent a letter April 30, 1998 with comments about each of the 12 points raised. A copy of that letter is attached. In my testimony today, I highlight major recommendations from our council position and reinforce them on the basis of the value North Carolina has received from NAEP.

North Carolina endorses NAEP highly, and not just because our performance has shown marked improvement in recent years. NAEP is the only valid measure that North Carolina has to show our progress compared to that of the Nation. Results are reported to the citizens of our State, to our legislature, and to local school systems.

In the late 1980's, NAEP tests influenced the development of North Carolina's annual end-of-grade testing program. Because of that influence, our tests in many instances, mirror the format the rigor of NAEP.

Since 1994, we have provided information to local school systems showing how their 8th graders' mathematics performance compares Statewide and nationally based on NAEP. We look forward to the time when we can expand our use of NAEP to international comparisons. Our staff is studying the feasibility of tying NAEP achievement levels to the levels we use to gauge student performance a move that would strengthen the link between national, State, and local test comparisons.

We ask your consideration of the following recommendations in reauthorizing NAEP:
Recommendation one: To provide stability and consistency for NAEP, we urge the committee to consider a 10-year authorization for NAEP and NAGB. This would provide the program a predictable 10-year schedule for the various subject areas that States could use in developing

their long-range assessment plans. States need the assurance of a long-term commitment in order to expand use of NAEP.

Recommendation two: The National Assessment was originally designed to provide results for the Nation and four regions of the country. Its authorizations was expanded in 1988 to report results for States on a voluntary basis. NAEP's current authorization adds the ability to report results for school districts. At each of these levels, a snapshot of achievement based on a sample of students is meaningful and can be used to help guide policy decisions.

We support expansion of NAEP to allow for reporting results in school districts but not at the school level. Schools would be better served, we believe, by the individual student results provided by voluntary national tests of 4th grade reading and 8th mathematics, which will be linked to the NAEP frameworks and reported in terms of the NAEP scales and achievement levels. As you may recall, North Carolina was one of the first States to commit to the voluntary national testing program.

Recommendation three: The National Assessment of Education Progress serves as an important measure for monitoring progress toward the national education goals at the national, State, and large school district levels. It is not an adequate measure, given its basis in sampling, for such monitoring at many school district and individual school levels. The voluntary national tests are better suited to this purpose. That is why the council supports the development of both NAEP and the voluntary national individual tests, and continued responsibility of NAEP and the voluntary national tests under the policy-making authority of the National Assessment Governing Board.

Recommendation four: To provide greater frequency of NAEP assessments requires funding the Nation's report card at a level which support annual, rather than biennial data collection. We recommend annual data collection which will allow key subjects to be assessed more than once during a decade.

Recommendation five: The council is strongly supportive of linking NAEP to other assessments, including both State and international assessments such as TIMSS. It is essential that such linkages be statistically valid and reliable. They must also be comprehensible to the public and the education community with regard to the proposal to tie Federal aid to Statewide competency-based assessment or high-stakes for all students and NAGB review of State standards.

A couple of comments: As I understand the proposal, it would require any State that receives funds under even one Federal elementary and secondary program whether it's title I, title VI, Eisenhower safe and drug-free schools, to have all schools test all students at every grade and at the end of high school. This would include public and private schools, charter schools, perhaps even home schools. We believe this is unnecessary Federal policy. It would intrude upon State and local control of education. It would violate the policy of no Federal regulation of education.

We also believe that this proposal represents a potential for unfunded mandate and unfunded mandate on the States. The idea of having NAGB review and report on the quality of State standards would remarkably change the role of NAGB, create a potential adversarial relationship which, at present, does not exist, and for these reasons we have concerns about that particular proposal.

I'd like to thank the committee on behalf of council members for this opportunity to testify. NAEP is extremely important to our Nation and to our States. We stand ready to assist you in assuring that this assessment program continues to provide key time-lines for national and State performance and is expanded to meet new challenges for international and individual student results. Thank you.

**SEE APPENDIX E -- WRITTEN STATEMENT OF MICHAEL F. WARD,
SUPERINTENDENT OF PUBLIC INSTRUCTION, STATE OF NORTH CAROLINA,
DEPARTMENT OF PUBLIC INSTRUCTION, ON BEHALF OF THE COUNCIL OF
CHIEF STATE SCHOOLS OFFICERS, RALEIGH, NORTH CAROLINA**

Chairman **Riggs**. Thank you, Dr. Ward. And we understand your time constraints and you can take your leave obviously when you need to.

I'm sure you know now that the TIMSS does make international comparisons. But, it's your testimony that NAGB should be able to correlate between the NAEP and the TIMSS?

Mr. **Ward**. We believe that those correlations would be

Chairman **Riggs**. And secondly, do you think that States should be able to use NAEP results to make school district-by-school district or individual school-to-school comparisons?

Mr. **Ward**. We believe that that could be useful for the district-to-district and State-to-State comparisons. Some district-to-district comparisons and some districts. In North Carolina, some rural districts, the student sample size is sufficiently small that if we continue on the sampling basis those comparisons might not be awfully helpful.

But for North Carolina, the State-by-State comparisons in particular, are particularly helpful because in the absence of such assessments and North Carolina has fared fairly well on those assessments and made considerable progress on those assessments we are left to such measures as the SAT, which has variable rates of participation.

Chairman **Riggs**. I can't conceive any scenario where we would mandate, in a talk-down manner that the results be used in that manner. But I could conceive a scenario where that perhaps States in more of a bottom-up fashion, could request that their own students' NAEP test results be used in that fashion, or perhaps we can explore that with you a little bit more. So, in other words, it would be a State-by-State decision and it would be a State option.

Mr. Ward. If I follow the question, we would support the use of the State-by-State comparison. And where feasible and where statistically valid, those district-by-district comparisons for the purposes obtaining insights into individual student performance, we continue to believe that the individual tests, the voluntary national test would serve the purpose better.

Chairman Riggs. And I understand that, but I want to make sure that you don't go away on the remiss impression particularly, since you're representing the council here today. What I'm talking about is perhaps including in the reauthorization, a provision that would allow the States to request the NAEP test results so that the States can make school district-by school district and school-by-school comparisons within that State. Okay?

Mr. Ward. I understand.

Chairman Riggs. As opposed to requiring that NAEP make that data available to all States participating in the NAEP because then we're leaving it basically, a State option. And in your case, as a superintendent, if you and the governor and the State legislature think that would be a good thing and a useful educational tool to have access to that data and to make those comparisons and to suffer the political consequences, if need be, or the political benefits for that matter then perhaps, it makes more sense to go about that way, bottom-up.

Thank you for being here.

We turn now to Mr. Larry Snowwhite who is the General Counsel for NCA Enterprises is that correct, sir? He's testifying on behalf of the Riverside Publishing Company, CTB/McGraw Hill and Harcourt Brace, all very well established companies, very much involved in text book and test publishing.

Mr. Snowwhite, thank you for being here. Please proceed with your testimony.

STATEMENT OF LARRY SNOWWHITE, GENERAL COUNSEL, MCA ENTERPRISES, INC., RIVERSIDE PUBLISHING, CTB/MCGRAW-HILL AND HARCOURT BRACE, WASHINGTON, DC

Mr. Snowwhite. Thank you, Mr. Chairman. And thank you for the opportunity to address several key issues regarding reauthorization of the National Assessment of Educational Progress or NAEP.

Our companies are the three largest commercial test publishers in the country. We historically have been involved in meeting the needs of school districts and State education programs for various types of assessment instruments used to assist in measuring and evaluating the Nation's school children. These three companies develop, score, and provide reports on the tests that millions of elementary and secondary school students take every year. As assessment professionals, we understand and believe in high quality measurement as a vital tool for

educational improvement. Indeed, the professional careers and reputations of our companies and employees are based on the ability to produce the highest quality assessments that are appropriate for their intended use.

NAEP is a very useful tool in evaluating what American students know. Its purpose is and should remain to provide a fair and accurate representation of educational achievement in reading, writing, and other subjects included in the third national education goal regarding student achievement and citizenship as provided for under current law.

Furthermore, this purpose should continue to be achieved through the use of sampling techniques that produce data that are representative on a national and regional basis. And on a State basis, only where the assessment produces high-quality data that are valid and reliable, also, as required by current law.

Any plans to expand the mission of NAEP whether dramatically by making it a high-stakes national test of individual students, or incrementally, by allowing districts or school-level reporting with the same potential for resulting high-stakes should be evaluated by Congress very carefully and approved before it is implemented. Congress must insure that any plan expansion would not endanger NAEP's core functions, nor disrupt NAEP's ability to produce valid, accurate, and reliable, consistent trend reporting.

An expanded NAEP will create pressure on school administrators and teachers to focus on the test. And as a result, build the State and local curricula around the NAEP frameworks. Congress must decide whether these frameworks are appropriate educational standards for the Nation.

Although the National Assessment Governing Board, NAGB is responsible for formulating policy guidelines for NAEP, Congress still has the primary responsibility to determine the purposes and scope of NAEP and the authority and responsibilities of NAGB. It is important that Congress not allow substantial changes to occur to NAEP by default.

This reauthorization is an opportunity for Congress to begin what is really a first ever comprehensive evaluation of NAEP and NAGB. Only minimal time was spent on NAEP during the 1994 reauthorization. There has really not been any comprehensive congressional oversight since NAGB was established in 1988 and when developmental State assessments were authorized in 1990. No expansion of the national or State assessment, major redesign, or changes to the composition or responsibilities of NAGB should be undertaken until such a comprehensive review by Congress has been completed.

The changes to NAEP enacted by Congress in 1990 have moved the program from a well-respected national indicator back to an evolving work-in-progress. Thus, we believe, it is premature to expand NAEP while key elements are still developmental in nature. Specifically, the State NAEP assessments and the student performance levels, now called achievement levels by NAGB are, by law, still developmental. In response to a Congressional mandate in the 1994 reauthorization, the National Academy of Sciences began a three-year evaluation of key

aspects of NAEP. The study is due to be submitted to Congress at the end of September of 1998.

The study will address, among other issues: One, whether the state-level assessments in the NAEP program are properly administered, yield valid and reliable data, and provide information that is not otherwise available; and two, whether the performance levels are reasonable, valid, and informative. The State NAEP assessments will remain developmental unless, on the basis of the results of those evaluations, the Commissioner of Education and Statistics affirmatively finds that these State assessment produce high quality data that are valid and reliable.

Further, the student performance level also remain developmental unless the Commissioner determines, as a result of the NAS study, that such levels are reasonable, valid, and informative to the public. We urge that Congress undertake a thorough and independent review of the Commissioner's determination on these issues as part of any reauthorization.

Related evaluations on national testing issues are also scheduled to be the subject of two extensive studies by the National Academy of Sciences: one, on Appropriate Uses of Educational Tests; and the other on Equivalency and Linkage of Educational Tests. These two studies are to be submitted in final form to Congress in September as well.

Thus, while we recommend that NAEP should be reauthorized, any substantive changes to NAEP should be adopted, as I said, only after there has been an opportunity for Congress to consider thoroughly the NAS evaluations.

One brief comment on NAGB: NAGB is to address immensely complicated technical questions that have major impact on policy. Therefore, NAGB needs to have technical input by co-equally voting members, who include testing and measurement experts as provided under current law. Given NAGB's potential influence on the Nation's education system through the setting of the content and achievable level for NAEP, NAGB also needs to remain accountable to Congress, as well as to the Department of Education.

Mr. Chairman, let me conclude by reiterating publisher's concerns for the need for extensive oversight performed by the NAS studies prior to NAEP reauthorization. Because there does not now appear to be adequate time to give NAEP reauthorization the full consideration that is essential, we respectfully propose that NAEP should be extended for one year to enable the next Congress to review the NAS studies and complete the oversight that you are beginning now on the important issues relating to the future of NAEP and NAGB.

We look forward to continuing to work with the committee to provide the psychometric expertise and experience as test publishers to assist your efforts to review and reauthorize the National Assessment of Educational Progress.

We thank you for this opportunity to present the views of Riverside Publishing Company, CTB/McGraw-Hill, and Harcourt Brace Educational Measurement. I will be pleased to respond to any questions.

SEE APPENDIX F -- WRITTEN STATEMENT OF LARRY SNOWHITE, GENERAL COUNSEL, MCA ENTERPRISES, INC., RIVERSIDE PUBLISHING, CTB/MCGRAW-HILL AND HARCOURT BRACE, WASHINGTON, DC

Chairman Riggs. Mr. Snowwhite, thank you. And thank you also for pointing out, I think, very importantly that the current NAEP statute says that the NAEP State assessments shall be conducted. It's not discretionary or equivocal on a developmental basis until the Commissioner of the Educational Statistics determines that such assessments produce high quality data that are valid and reliable.

So, in our follow-up to today's hearing, we will query the Commissioner as to why they have not made that determination yet and when we might expect such a determination to be made.

Mr. Snowwhite. I think the National Academy of Sciences study is due at the end of September. Under the statute, NAGB has, I think, 90 days to respond to that. There is no time limit for the Commissioner to respond to the NAS report.

Chairman Riggs. Very good, thank you.

We now turn to Dr. Martha Schwartz, who is a research associate at the University of Southern California and is testifying here today on behalf of the organization, Mathematically Correct. Please proceed with your testimony.

STATEMENT OF MARTHA SCHWARTZ, MATHEMATICALLY CORRECT, SAN DIEGO, CALIFORNIA

Ms. Schwartz. Yes. I thank you very much for allowing me to come here and represent the parents from all over the country that we hear from all the time. We're a somewhat unusual organization so, I think I'll spend a minute saying who we are and what our concerns are.

We are a nationwide grass-roots organization, as much grass roots as you can be on the internet of concerned parents, mathematicians, scientists, and educators across the country. Our group is amazingly non-partisan. We are concerned about such things as equations in algebra class and long division in elementary school. These are hardly partisan issues.

The implication that females and minorities can't do math like other people should be opposed by everyone from left to right. Calculators in kindergarten? Our group is socialist to libertarian, and we all think that this is a bad idea.

Our parents-based uprising resulted from severe dissatisfaction with mathematics programs that had been showing up in the Nation's schools under the banner of reform, and was heightened by the poor showing of American students in comparison to other countries. And we note that the extreme weakness of these programs has been accompanied by a very high-powered rhetoric from the reform movement saying that we're dealing with high-order thinking skills and problem-solving skills and so forth. We believe, instead, that the reform is taking a bad situation and making it worse.

I want to point out here that the NAEP results, last year, were very useful to the parents' groups in California in pointing out that what we were doing in the State was not working very well.

We see sign from all over the country that we are slipping farther behind. Within the last week, we've heard from Michigan, we've heard from Texas. We hear from people from all over. And one of our real concerns is the quality of the standards the quality of the assessments that are offered to the students.

In 1996, we published a position paper calling for high-level standards in mathematics and regular assessment of these based on the guidance of an independent external body. And we see that one positive sign in American education, mathematics in particular, is that there is some movement in this direction. But, we've learned in our day-to-day activities that ineffective standards, slanted or sloppy, or unreliable tests are much worse than nothing at all and drive a very poor curriculum.

Done correctly, standards and assessments can provide a tremendous boost to education. Done incorrectly, they can further deteriorate achievement. And, our warning to you is that, if we do these assessments, State-by-State without the kind of very careful oversight that we've seen from NAGB, we can do this incorrectly in too many places.

We use, as examples, the National Council of Teachers of Mathematics Math Standards, which, oddly enough, even though they got approved by many mathematics organizations, failed to define, at any point, the actual material that students needed to learn as they move from grade to grade. They were full of rhetoric and very little in the way of real standards.

In California, we followed their guidance faithfully and very early. We were on the cutting edge of reform. As a result, schools in California are filled with textbooks that offer weak, low-level mathematic content, are full of color pictures and activities, and are accompanied by claims of potential accomplishments. Now our State is told by NAEP that we're near the bottom of the country in achievement. Most of our entering CSU university students now need remedial mathematics at the 8th and 9th grade level.

Further evidence of what goes wrong when people are sloppy in making standards and assessments comes from the Fordham Foundation report on mathematics standards. The mathematics standards for each State were graded and a median grade was a "D." The report notes the failure of almost every State to delineate even that which is to be desired in the way

of mathematics education constitutes a national disaster. That's in spite of publishing standards, so-called.

We also, at home I'm from Los Angeles I live in Los Angeles Unified school district published their mathematics standards funded by the NSF Systemic Initiative and a comparison of those with the new California standards shows that their result is totally ineffective.

The bottom line is that unless we have the kind of daily vigilance of parents and people like myself, it's very difficult to get good assessments to have the proper approach to social promotion and so forth. You can cover a lot of very bad programs with very far away rhetoric.

I don't know how I'm doing on time here. Let me skip some of this. It's all written.

But, at this point, we're very afraid of losing the solid long term standing target that the existing NAEP test has given us. We do not want to have educational fads pedagogically driven enter into assessments which they are doing all over the country.

We ask, as recommendations: that the Congress do everything in its power to promote the development of explicit detailed objective content-based standards for learning and a reliable objective test to match the standards; if, that, Congress consider the criteria the standards as developed by the American Federation of Teachers and the Fordham report, that Congress work to provide even greater independence to the NAGB group so that it becomes even more immune to influences of fads, and the Department of Education and other organizations; that the Congress adjust the membership in NAGB in a way that offers parents as much say as possible in the assessment of their children; the Congress encourage a greater and more thoughtful contribution from senior level at University scholars and mathematics, and other disciplines and writing standards in designing assessments.

I want to thank you for inviting me here to speak. We're very, very interested in approving education. We need to do if the country is going to survive and we continue to offer opportunity to all of citizens. The members of Mathematically Correct stand ready to assist you in this effort.

***SEE APPENDIX G – WRITTEN STATEMENT OF MARTHA SCHWARTZ,
MATHEMATICALLY CORRECT, SAN DIEGO, CALIFORNIA***

Chairman Riggs. Dr. Schwartz, thank you. We appreciate your testimony. We'll have an opportunity, I hope, to explore a couple of other subjects here when we get to the questions and answers. But you're no doubt aware that under current law the Board, and current law governing the Board and NAGB's composition, four members must be representatives of the general public including parents. And you're testifying today, and I'll probably ask Mr. Klicka, this as well, but you're testifying that you believe that number should be increased?

Ms. Schwartz. Yes. I hear from parents, I tried to access my e-mail yesterday and had some trouble, but there were 60 new messages that I was not able to read. We hear from parents all over the country. There's a great amount of concern on these issues. And, I think as much as possible, our parents want to be able to have more say over what's done to their children in school.

Chairman Riggs. Okay. Mr. Christopher Klicka? Am I pronouncing your last name

Mr. Klicka. It's Klicka.

Chairman Riggs. Klicka, is the executive director of the Home School Legal Defense Association in Purcellville, Virginia. Mr. Klicka, thank you for being here today. Please proceed with your testimony.

STATEMENT OF CHRISTOPHER J. KLICKA, EXECUTIVE DIRECTOR, HOME SCHOOL LEGAL DEFENSE ASSOCIATION, PURCELLVILLE, VIRGINIA

Mr. Klicka. Thank you. A privilege to take this few moments to explain our position.

I'm senior counsel at the Home School Legal Defense Association and executive director for the National Center for Home Education. I've been involved for the last 13 years in education law and we've worked at the State levels in the courts, and I've also worked at the Congressional level. We worked hard to win the right for parents to choose home education, and we've seen what happens when the Federal Government tries to dictate educational policy to States. We would much rather work State-by-State.

One of our goals is to limit the Federal role in education and return the powers to the States which I'm thankful for the general direction that Congress is going now. But we're concerned that this gradual expansion that we've seen of NAEP and NAGB is going to lead to nationalizing education standards, curriculum and testing. We would agree with Chairman Riggs' early position or statement any way, that you made about whether or not NAGB and NAEP is doing too much. We think it is. We think we need to streamline. We need to have it simplified. We need to return to the core subjects.

Over the years, I know the committee is aware of the history of NAEP and how it's developed, but you've seen a steady growth in NAEP as it's increased its purview and the subjects that are being covered and amount of students that are being covered. Primarily, the biggest jump was in 1988 when NAEP's role was significantly expanded, authorizing development of these State assessments. In 1994, of course, that data could NAEP collect was expanded even further, and authorized State assessments became a regular feature of NAEP.

Now, of course, NAGB is working on this all-individualized national test which is also of major concern to us. We think the direction is clear. The expansion of NAEP and NAGB is

leading us into nationalizing of educational standards, and eventually, curriculum.

An education specialist who had written a paper for the CRS called the National Assessment of Educational Progress, he stated this about this whole move into individualized national tests. He says, "given the impossibility of modifying NAEP to match the differing curricula in various States or LEA's, States and LEA's would likely have substantial motivation to modify their curricula to more closely matched NAEP's curriculum frameworks." This is exactly what the home schoolers are concerned about.

We represent about 60,000 home-school families throughout the Nation. We don't want Federal education standards dictated by the Department of Education. And, home-schoolers and I think, the majority of Americans, want more local control of education.

My testimony reflects pretty much the grass-roots perspective, not so much the educational experts motif that how mom and dad are worried. They don't know who NAGB is; they're concerned that it's going to be a top-down management.

We've seen NAEP expanded originally. It was just involved in its long-term assessment. It was expanded to main assessment, and now it has these State-by-State assessments. So the number being tested is increasing with each year. NAEP is beginning to shape State testing policy. In February of this year, the New York department of education announced they were going to replace their 15-year old PEP test People Evaluation Program with a new assessment. And they made sure that they were going to pattern the aspects of this test, particularly the schedule of when the test was given and this sort of a thing, with NAEP. And then, they wanted to compare and make subsequent adjustments once this began working in tandem with one another.

We did a survey just this past week of a number of State departments of education and interestingly enough, because we wanted to find out how NAEP was impacting education policy. In Georgia, the NAEP coordinator of testing evaluation admitted that discussions were taking place about making NAEP the State assessment, the primary assessment in the future.

In Michigan, we talked to NAEP coordinator for the Michigan Educational Assessment Progress and he indicated that NAEP was being used to affect, and shift, and change our education policy. We've heard just today from some of the panelist here, Nancy Doorey in Delaware, that they've used the NAEP's standards to help develop their own benchmarks and performance standards. And they used NAEP to change and affect their policy decisions. And we've heard from the North Carolina State superintendent.

We intend to make more use of NAEP in the future. The whole point I'm making here is, we're beginning to see that a lot of what's happening in our educational system across the country is being influenced and affected by NAEP, and we're concerned about that. We don't want the Federal Department of Education dictating these things.

There was a statement that recently was made by University of Kansas professor, John Poggio, in meetings back on February 28, 1997, when they were discussing at the U.D. Department of Education's Office of Educational Research and Improvement, the whole issue of national testing. And this is what this expert said.

"There is a sense, I think, we all recognize that what gets tested is what gets taught."

He further told the Department of Education, "and you're saying you're not controlling American curriculum? All of here will sit and tell you what we put on those booklets is what gets the attention of the teachers. You are altering what is going to be taught. You need to be aware of that."

And Rebecca Kopriva with the Delaware Department of Education echoed the same sentiment. She said, "we can't afford at the State level to have our tests to be significantly different than your national test even if we think it is significantly better because this is going to drive a lot of what we're doing."

Mary Blanton testified earlier and drew a distinction that NAGB is not making curriculum frameworks, but were rather, making assessments frameworks. Well, we disagree. We think that when you make assessment frameworks, you are going to affect the curriculum frameworks.

As you can see, the evidence is mounting up. That States are in the process of making adjustments to their education policy and their testing policy in light of the NAEP State assessment. And we believe Poggio was right, "what gets tested is what will be taught."

We've seen NAEP gradually expanding the subject areas and we've talked already about that today.

We see that there's problems with this background questionnaire that they're using. More and more questions, Mary Blanton was very clear, that they are open to adding and adding to this background information. We think it's somewhat of an invasion of students' privacy and that there is really a question of its usefulness for analytical purposes. The amount of background information collected, we believe, must be reduced in order to make NAEP more cost-efficient, enable a quicker turn-around for posting the test scores.

In many NAEP I think, it's becoming a national school board. And, we're very concerned about that because they're in charge. They're the ones who have the final say-so on all these questions and frameworks regarding this NAEP survey. This appointed 25-member Board, rather than elected 435-member Congress, looks to us, is shaping the future of education in America.

So, these are our basic recommended solutions to these different problems I've outlined.

One: We think we should go back to the basics, back to the core subjects of reading, writing, and math. That should be the purpose of this national assessment. These other subjects involved in the third national educational goal really should be taken out and focus on reading, writing, and math.

Two: We also believe this whole change in allowing for State assessments should be removed. Americans want local control of education. We need to let the States and localities create their own tests.

Thirdly: We believe that Congress should narrow the focus of NAEP back to its original intent of having long-term assessments rather than main assessments. The long-term assessments don't change much over time and they allow for the assessment of year-to-year changes. Whereas the main assessment is vague and it changes on a regular basis.

Regarding the background, we believe that needs to be curbed.

And lastly: We would urge that the Congress add some language to the reauthorization bill that would specifically prohibit it from being redesigned into any type of national individualized test.

We appreciate the time that you've given us for our views to be heard and we really urge the Congress to curb NAEP, cut-back NAGB, and to return as much as possible the forwarded tests and back to the States.

Thank you very much for your time and consideration in this matter.

***SEE APPENDIX H -- WRITTEN STATEMENT OF CHRISTOPHER J. KLICKA,
EXECUTIVE DIRECTOR, HOME SCHOOL LEGAL DEFENSE ASSOCIATION,
PURCELLVILLE, VIRGINIA***

Chairman Riggs. Mr. Klicka, thank you. And thank you very much for raising the concerns of home schoolers nationally.

I want to be sure I understood what you said with respect to Georgia. You said that Georgia is now currently embedding NAEP questions in its State assessments. Is that correct?

Mr. Klicka. We specifically asked them how NAEP was affecting their overall testing policy and educational policy, and they indicated discussions were taking place where they were considering using NAEP as the primary assessment tool in the future in their State.

Chairman Riggs. I see. Are you aware of any other States that have similar plans?

Mr. Klicka. Some of the other States I mentioned was Michigan. It did not say it was to become their primary assessment, but they said that it was impacting, heavily, their education policy and their testing process that they were doing. And, we found similar comments from a

BEST COPY AVAILABLE

lot of States. As I said, even from some of the analysts here.

We just see an overall influence of NAEP that is to us, we fear, because we see, again, a top-down restructuring that can come from We're not saying that this is going to create a national curriculum, but default, it very well might in the direction that we're going. Here are these same concerns for the individual on nationalized tests, but we see with the expansion of NAEP, were turning into that same direction.

Chairman **Riggs**. I have one question before we turn to Mr. Rodriguez.

I really want to understand this point. Your concern, as I understand it, is that if States imbed any questions in State assessments or if they just adopt the NAEP test as the preferred State assessment that this is effectively kind of creating an alternative to the national testing.

Mr. **Klicka**. That's right. In one sense, we're having this big debate over a national test that Clinton has put forth and it looks like Congress is voting it down, the House and the Senate. But then, on the other hand, we're seeing NAGB just gradually being expanded more and more subjects, more and more States, more and more students and, in effect, it is having the same effect and that's what we're concerned about. We want to narrow NAEP. We pull it back to some of its original long-term assessment intent.

Chairman **Riggs**. Our final witness of today is Mr. Ambrosio Rodriguez. He is testifying on behalf of the Mexican American Legal Defense and Educational Fund and is associated with the Washington, D.C. office.

Mr. **Rodriguez**, thank you for being here. Please proceed with your testimony.

**STATEMENT OF AMBROSIA E. RODRIGUEZ, ESQUIRE, MEXICAN AMERICAN
LEGAL DEFENSE AND EDUCATIONAL FUND, WASHINGTON, DC**

Mr. **Rodriguez**. Thank you, Mr. Chairman. Good afternoon, and thank you for this opportunity to testify.

My name is Ambrosio Rodriguez. I am an attorney with the Mexican American Legal Defense and Educational Fund or MALDEF. MALDEF is a national organization that protects and advances the civil rights of the over 27 million Latinos in the United States. On behalf of Latinos, we focus primarily on education, employment and economic development, immigrant's rights, political access, and public resource equity issues. We use a variety of approaches to ensure that Latinos re empowered to participate full in this society; the public policy advocacy, mid-career leadership development, parental leadership development, scholarships, and impact litigation.

MALDEF agrees with the goal that our children should be held to high standards. Schools, school district, and States should beheld accountable for the educational progress of all

children, and well-informed parents should be key participants in ensuring a quality education for their children.

Although we agree in theory with the concept of a national assessment, we are concerned with its practice and implications. First, we are concerned about the role of NAEP tests should they have high-stakes consequences or become the basis for a voluntary national test. If the latter, are we as a Nation prepared to implement a national curriculum? If NAEP becomes the national test then will it become the national benchmark for success? The items on the NAEP will become the national curriculum. A national curriculum would be a logical conclusion of a national high-stakes test because any parent, child, school and school district would want to do well on such a national benchmark. However, there is no national consensus on what should constitute a national curriculum.

A perfect example of the divide between NAEP's national curriculum standard and the reality of what is currently happening in America's schools is the 8th grade mathematics test designed by NAEP. In a letter to the Chairman of the House Committee on Education and the Workforce, the Honorable Mr. Goodling, NAGB stated that the 8th grade test includes "geometry and algebra." Unfortunately, according to the Department of Education, only 27 percent of which, 20 percent of black, and 20 percent of Hispanic 8th graders have taken algebra I which means that none of these students have taken geometry or the requisite algebra II.

In other words, even those students that are fortunate enough to be placed in advanced classes, such as algebra, I cannot possibly meet the standards of NAEP. It is laudatory to encourage all 8th graders to complete algebra I and II as well as geometry, but until that becomes the rule and not the exception, NAEP is setting-up a large percentage of our students to fail.

Adopting a national curriculum through the NAEP test would impact local control and innovation, two aspects of the American school model that have worked to the advantage of our children. A national curriculum would discourage local schools from developing innovative programs that push their students to explore new ideas and academically grow through analyzing different subject matter because of the success or failure of any school would be based on its NAEP score. Local schools will become fixated on a curriculum that only prepares the students for the exam.

This is a dangerous proposition since there is no agreement, outside of NAGB, that a national curriculum constitutes sound educational policy. It is sufficiently problematic to adopt a national test with unaccepted standards but to compliment this test with a curriculum that will be taught throughout the entire Nation seems to be premature and an unnecessary experiment. Local schools depend on innovation to meet the ever-changing needs and challenges of their students.

Moreover, in a county as large and diverse as ours different localities have different emphasis. The curriculum in San Francisco is different from the curriculum in Buffalo which is different from the curriculum in Miami. A national curriculum implemented to match the NAEP test

would unwisely exchange innovation for blind conformity.

Educators are building a consensus around what should constitute as a national standard and curriculum framework and how we should teach those standards. One of NAGB's goals is a set of frameworks for a 10-year period. It would be highly premature and counterproductive to allow NAGB to implement national standards before educators come to a consensus as to what should constitute national standards. To implement standards to which no one has agreed to would only serve to add to the controversy among educators, parents, and politicians over what knowledge is to be assessed.

If NAEP is to become our national curriculum, how will it be taught at schools? Who will get the materials? How will the teachers be trained? And who will pay for it? The implementation of a national curriculum that prepares students for an assessment test raises questions over the fundamental opportunity of limited-English proficient students and minority students to learn.

Unfortunately, the schools attended by LEP and minority children are highly underfunded, segregated, and under-served. These schools cannot afford the extra cost associated with this test. If poor urban and rural schools are to meet these new standards, they should be funded to train their teachers, buy new schoolbooks, and any other related expense before the name goes into effect. If students cannot prepare, they cannot succeed, and their failure will only become a self-fulfilling prophecy as these schools continue in a circle of poverty and under-achievement.

I see I'm out of time. Let me just go to my conclusion.

Chairman Riggs. In the interest, we're interested in any specific recommendations you have for the reauthorization. I understand that you have concerns, but any specific recommendations and then, your conclusion.

Mr. Rodriguez. Okay. I think the recommendations are still being detailed and they are being turned into the Subcommittee at a later date. So, I can stop now. Thank you.

**SEE APPENDIX I -- WRITTEN STATEMENT OF AMBROSIA E. RODRIGUEZ,
ESQUIRE, MEXICAN AMERICAN LEGAL DEFENSE AND EDUCATIONAL FUND,
WASHINGTON, DC**

Chairman Riggs. Okay. Thank you, Mr. Rodriguez.

I understand that Mr. Rodriguez and Dr. Schwartz have advised caution, as have Mr. Klicka and Mr. Snowwhite has counseled to go slow-approach, which I think is wise. But I want to give Mrs. Doorey and Dr. Ward, Superintendent Ward an opportunity to respond particularly to the concern that there are the recommendation of some of our witnesses today that the mission of NAEP should be narrowly focused and not expanded in any way. Mrs. Doorey,

why don't you respond first.

Ms. Doorey. First if the concern is making it narrower in terms of the number of content-areas assessed, I think we do have to weigh that against the national message as to what we consider to be a well-rounded education in this country. And so, having a focus on poor-content areas is certainly valid. But do we want the message to be that those can be emphasized within schools on a daily basis at the expense of foreign language and some of the other courses. I think we have to weigh those issues very carefully because NAEP will carry a lot of weight. It is the one assessment we have to compare State-to-State, and people do pay a great deal of attention to those.

So, I would argue on behalf of making sure the message to our States is very clear, that we value a broad well-rounded education.

Concerning I'm sorry, I forget where I was going to go with this

Chairman Riggs. Let me ask you a follow-up real quick. Are you an appointed or elected official in Delaware?

Ms. Doorey. Appointed.

Chairman Riggs. Gubernatorial appointee?

Ms. Doorey. Yes.

Chairman Riggs. Does your appointment require the confirmation of the Delaware State Legislature?

Ms. Doorey. Senate, yes, sir.

Chairman Riggs. Delaware State Senate.

How do you respond to the concern, Mr. Klicka and other parents, particularly, when you talk about using the NAEP to set Statewide benchmarks in Delaware? How do you, in your official duties in your capacity as an appointed State education official, how do you respond to parents? Because you must hear some of those same parental concerns.

Ms. Doorey. We have not have a great deal of parental concern about using the NAEP. And I guess part of that is because NAEP does the matrixing. So they have an extremely large item set to work from. It's very, very broad. If it was an individualized assessment, as we said, you'd have to narrow it down in terms of the number of items in order to bring it into a time limit. And you would narrow the curriculum, you would narrow the focus.

And the matrixing they do, allows them to be very broad and comprehensive. It's also acknowledged as we show people some of the publicly released items that these are quality

items that really force students to know the content matter, think carefully, and to produce some solid work. So, usually if we run into any strong concerns, we will bring out some of the publicly released items and the concerns are overcome.

I feel that NAEP is high enough quality that it challenges us to improve our State assessments by benchmarking to NAGB.

Chairman **Riggs**. I am assuming Delaware has an open meeting law in that the meetings and deliberations of the State board of education are all public?

Ms. **Doorey**. Absolutely.

Chairman **Riggs**. Dr. Ward, you and the other chiefs want to see NAEP, and specifically, the mission of NAGB potentially expanded. That is on top of all the other things that the NAGB is doing now, over-and-above testing in all the different subject areas; comparing test scores among States; looking at background factors, I think, which is one of the things that really raises red flags with Mr. Klicka and the home schoolers; correlating different levels of achievement on the NAEP; trends and educational equity as reflected in differences in scores for females versus males, or peoples of different racial or ethnic groups; linkages to international assessments like the TIMSS which I asked you about. So how do you respond to the concerns that the NAGB is getting too far-field here?

Mr. **Ward**. We live in an era of accountability, Mr. Chairman. The concerns of the same community that have been raised today, that same community has concerns also about accountability for a product in schools and a consensus-based system of assessment. One that has barred public input and bipartisan input and then is guided by a bipartisan board, we believe, serves as a very useful tool for public accountability. A public that wants us to hold students to high academic standards and wants some uniformed gauge by which to measure whether or not we're actually delivering on that necessity of the community.

The public wants to see us close-up gaps by race, gender, and social economic status. We have to have a fairly uniform gauge by which to do that and one that has a utility across districts, across State lines, and across national borders. We need a mechanism for making those kinds of comparisons so that we can be held accountable for the product we deliver and so the we can be held accountable to our charge that our youngsters fair well in the system.

I would agree with earlier observations that if the only purpose of assessment whether it's the current system of assessment made available through NAEP or the possible future voluntary individual tests, and if the only purpose is to name and blame and not to direct us to commit additional resources and attention to areas where they're most needed, then we don't need to go down this path, we don't need to spend this money and we don't need to commit your good-time here or our time.

But if the purpose is to hold us accountable to deliver for all students, and to deliver well, then this is a useful enterprise and one that needs to be expanded.

Chairman Riggs. Correct me if I'm wrong, didn't the counsel go on record as supporting the President's proposal for voluntary national testing?

Mr. Ward. Voluntary national testing in reading and mathematics; that's correct.

Chairman Riggs. Well then, I don't understand that because obviously, your colleagues in most of States, not all of them, because there is another group, but most of the States are active members of the Council of Chief States School Officers, yet their home States have not indicated that they want to participate. In fact, the great majority of States have not indicated. Why is that?

Mr. Ward. I can't speak for the balance of the States; they're not here. The council, itself, has expressed interest in the national test, and I can speak for North Carolina's interest and the reasons underlying North Carolina's interest. But, I don't know the answer to your question.

Chairman Riggs. And why are you trying to link the State assessments in North Carolina to the NAEP? You touched on that, but what is your long-term intention?

Mr. Ward. Two reasons: First of all, we have found the rigor and the type of assessment that NAEP has generated to be of high-quality and to be very useful in North Carolina. We have not found that North Carolina has had to drive a curriculum in response to NAEP. In fact, we have that we believe that our teachers and our folks in North Carolina ought to drive that curriculum. Our folks have developed curriculum and then we imbedded items from NAEP that we've found to be consistent with that curriculum, and we have used NAEP-like items to help drive our testing program in North Carolina.

But we have found them to have good utility for those purposes, but without having to yield to some sort of national curriculum. In particular, I think reading and mathematics are areas upon which we can build a fair amount of consensus and these items have been particularly useful in reading and mathematics.

Chairman Riggs. For Dr. Schwartz and any other witness who would like to respond, do you think that currently the NAEP results are being published and in disseminated in a format that is user-friendly for parents? And if not, what can we do to improve on that so that the layperson could more easily understand NAEP results, and more importantly, what the NAEP results mean?

Ms. Schwartz. I'm really not sure because I'm a scientist and I look at them and I have no problem. So, I really can't

Chairman Riggs. You wouldn't be a good example of a layperson then, you're saying.

Ms. Schwartz. I'm afraid not. We do sort of clearinghouse things for parents all over the to me, the real importance of something like the NAEP test is the fact that it's rigorous and that it does contain appropriate mathematics content. We at Mathematically Correct, really consider this an equity issue; that one of the things that we do is that we collect information on whatever measurement we can get about schools and compare them, those that are doing well with schools with similar demographics which are not doing very well. It would be nice actually for us to be able to have scores on school level to be able to do that with.

For example, we recently got information from a school in Inglewood, California. Inglewood is a socio-economically deprived area in which one particular elementary school is 30 or 40 percentile points above in reading and mathematics on one of the standardized tests and I forget which one it is than the rest of the school district and well above the national average. So we were able to simply phone the principal and say well, what do you do here?

And we can make that information available on our website. I think this is a very important thing to be able to do.

Chairman Riggs. Do you think it's useful or important to study, for example, the correlation or linkage between the NAEP test in math and science in the TIMSS?

Ms. Schwartz. I'm not sure there is any correlation in the sense that they sample totally different populations, the country as a whole versus the State's against each other. We know in California that the United States did not do well in the 8th grade TIMSS. And, California students did particularly poorly on the NAEP in comparison to the rest of the United States. So, we know we're pretty far into the cellar, but we can't make any direct comparison between the tests.

Ms. Doorey. Mr. Chairman, may I add on that question?

Chairman Riggs. Of course.

Ms. Doorey. I believe it is important to have the linkages there because as we give the public bulk data, and we say here are how the States rank against one another for how they're comparing. And then we say here's how the United States as a whole compares to other countries. We do need some consistency. But we're making that leap.

In comparing our performance, we're at the mid-point in the United States. We're scoring average and if the United States is very low on TIMSS internationally, that tells us something. But we need to make sure the assessments are linked in order to come to those conclusions.

And on your earlier question about the use of the NAEP items and the public understanding them, I would argue that the most important aspect of the release of those items publicly is the initial shock if it comes how does your State rank. How is your State doing? And it's a motivating factor that rallies people as Congressman Castle pointed out, we were not happy in

Delaware and it caused a great rallying of energy and commitment.

Beyond that, I'm not so sure that it's important because the next step is what Congressman Martinez pointed out which is then figuring out what you're going to do to improve. And we have a tension here between the amount of money we invest in assessing and the amount of money we invest in improving teaching and learning. So to have an assessment like NAEP that gives us the solid information, single-shock that we need, but not to go and invest in mandatory testing in every grade-level that has to meet the rigor for court cases court challenges, etcetera but instead, to take the other monies and invest them in improvement of teaching and learning. I think we'll come out far better.

The role of the test ought to be to give us this benchmark and give us the message and follow the rest to the classroom and away from the classroom.

Chairman **Riggs**. Well, I appreciate that point. Of course, the NAEP, the NAGB likes to call the NAEP the Nation's report card, comparing it to school-aged children. Most of time report cards come home with Johnny or Susie. I don't know that Johnny and Susie are bringing home the NAEP results. And I think the way this information is usually disseminated to the parents, the consumers of education is through basically, if there is any interest at all, it's a newspaper headline. And the newspaper headline usually is something along the lines of "U.S. Kids do Poorly" or "Suffer in Comparison to Their Counterparts" and when we're making international comparison, their counterparts in the other industrialized nations. They didn't get much beyond that.

So, I wonder if, going back to the concerns of parents, one of the ways that we can address that concern, is to make sure that this information is more readily and more easily understood by parents and then somehow, some way, put in a more, as I put it parent-friendly format.

Dr. Ward, you look like you want to comment.

Mr. **Ward**. I do. In North Carolina we're actually constructing a report card now that we'll report NAEP results to parents across the States. So, that in addition to that information on an individual child's performance and the State testing program, they'll also get some information about NAEP and NAEP results from the State as well.

I would add that that interest in the NAEP would increase remarkably if a NAEP-like voluntary test for individual students in the 4th and 8th grades were to be implemented.

Chairman **Riggs**. You couldn't resist that, could you?

[Laughter.]

Chairman **Riggs**. Mr. Rodriguez, you made the comparison between San Francisco and other school districts, and I would submit to you that San Francisco is like no other school district.

Mr. Rodriguez. I know.

Chairman Riggs. Well, that said, I want to make sure I understand your concern of when you talk about NAEP being used as high-stakes tests. What exactly do you mean by high-stakes?

Mr. Rodriguez. Well, high-stakes we talk about lack of graduation or being promoted to the next grade level. It all has to do with the idea that I mentioned in my testimony, if NAEP becomes basically if all States begin to use it as a benchmark for success, it becomes a national model, it kind of snowballed into a national assessment test overall. Like I mentioned in my testimony, in a way, there's really nothing wrong with that, but it's just the way its being done and how we're going to it, and the whole idea of the Federal Government, the Federal agency just taking control over it.

The importance of local and innovation we count on that for these small ideas, these parents groups, or teachers with a new crazy idea that kind of just gets the ball rolling. These great ideas, educational reforms kind of germinate from there and spread across the country.

Chairman Riggs. I'm very pleased to hear you say that because I happen to agree with that. Has MALDEF taken a position on the President's national testing proposal?

Mr. Rodriguez. What we've taken a position on is the whole issue of the 4th grade test not being able to properly assess bilingual students because of not being in Spanish. That to us, is one of the big, major problems.

Chairman Riggs. Okay.

Mr. Snowwhite, I'm interested in your opinion and the opinion of your client whether the: currently established achievement levels basic, proficient, and advanced are appropriate or are they too high, or conversely too low?

Mr. Snowwhite. We do not. That's a matter, as we pointed out, that's been subject to a fair amount of controversy one that is still subject to considerable review. It is the basis for the proposed voluntary national tests. I also point out that the commercial test publishers do provide performance-based scores on their tests, in addition to providing a norm reference comparative basis and also, a standards-base of criteria reference so that you do have a list of one test that can provide a variety of different types of information. They have looked at the NAEP standards and others, and probably would say they have made some improvements over the NAEP procedures.

Chairman Riggs. How many States are currently using some sort of standardized test and off-the-shelf test, for example, published by one of your clients?

Mr. Snowwhite. Virtually, all of the States. The numbers will vary. We've given some general numbers of 20 to 25 million students are taking the standardized tests. The commercial test publishers are also involved in virtually all of the States that have developed

our developing Statewide assessments. The chiefs survey was 46 States and I have Statewide assessments. I'm not sure they include the Iowa testing program where virtually all of the schools in Iowa voluntarily administer the Iowa test of basic skills which is authored by the University of Ohio program and published by Riverside.

Chairman Riggs. And are any of your clients currently serving on the NAGB which has three positions for "testing and measurement experts who shall training and experience in the field of testing of measurements?"

Mr. Snowwhite. No.

Chairman Riggs. Okay. All right.

Well, I want to thank all of our witnesses for their participation in the hearing today. It's been very helpful. You know that this reauthorization is a priority among many others for this committee in the winning days of this particular Congress.

We will continue to solicit your help and advice with some of the reauthorization issues that we have discussed today, specifically: NAGB's future involvement, if any, in the national testing development contract and any implications of the national test initiative; the levels at which NAEP is administered and scores are reported; the breadth of NAGB's current activities and whether the scope of NAEP and NAGB should be more narrowly focused; the number of subjects tested under NAEP; the continuing validity of existing student performance levels; the use of testing technology; the models or the modes rather, of testing and the range of skills tested; the inclusion of disabled or limited-English proficient students; a complexity of the design of the NAEP; and some of the management issues relating to NCES and NAEP.

So again, your advice and participation today has been very helpful and we look forward to working with each of you in the coming weeks.

The Subcommittee stands adjourned.

[Whereupon, at 2:40 P.M., the Subcommittee adjourned subject to the call of the Chair.]

*APPENDIX A -- WRITTEN STATEMENT OF CONGRESSMAN RIGGS FROM THE
STATE OF CALIFORNIA*

OPENING STATEMENT OF REP. FRANK RIGGS

SUBCOMMITTEE ON EARLY CHILDHOOD, YOUTH AND FAMILIES

HEARING ON REAUTHORIZATION OF THE NATIONAL ASSESSMENT OF
EDUCATIONAL PROGRESS (NAEP) AND NATIONAL ASSESSMENT GOVERNING
BOARD (NAGB)

THURSDAY, JUNE 11, 1998
10:45 A.M.

Ladies and Gentlemen:

It is a pleasure to welcome all in attendance to our first hearing this Congress on the National Assessment of Educational Progress (known as NAEP) and the National Assessment Governing Board (known as NAGB).

Also known as the "Nation's Report Card," NAEP is a series of ongoing nationwide tests of academic performance of students in grades 4, 8, and 12 in reading, writing, mathematics, science and other subjects. NAGB, on the other hand, is the 26-member board that sets policy guidelines for NAEP.

To ensure that everyone understands what NAEP is all about, I would point out a few facts: (1) the purpose of NAEP is *"to provide a fair and accurate presentation of educational achievement in reading, writing, and the other subjects included in the third National Education Goal, regarding student achievement and citizenship"*; (2) NAEP tests sample populations of students in 4th, 8th and 12th grades rather than all students; (3) no student takes an entire test in a subject, but rather students only take part of the test; (4) NAEP is not a high stakes test; (5) personally identifiable information about a student and the student's individual education performance is confidential; and (6) data about test results is collected on a national level and state by state basis, for participating states.

NAEP and NAGB were last reauthorized in 1994 during consideration of the Improving America's Schools Act. The authorization expires on September 30th of this year, and so we are here to receive testimony on many of the issues raised by reauthorization. I would also note that over the past few months we have received many written comments from a variety of individuals and organizations.

Just a few of the reauthorization issues include:

- NAGB's future involvement in the national test development contract and implications of the national test initiative;
- levels at which NAEP is administered and scores are reported;

- the breadth of NAGB's current activities and whether the scope of NAEP and NAGB should be more focused;
- the number of subjects tested under NAEP;
- the continuing validity of existing student performance levels;
- use of testing technology;
- modes of testing and range of skills tested;
- inclusion of disabled or limited English proficient students;
- complexity of the design of NAEP; and
- management issues relating to NCES and NAEP.

Finally, let me say we have many fine witnesses here this morning and I wish to thank each of them for joining us. With that, I now turn to the ranking member, Rep. Martinez.

*APPENDIX B -- WRITTEN STATEMENT OF CONGRESSMAN MARTINEZ FROM THE
STATE OF CALIFORNIA*

Statement of
The Honorable Matthew G. Martinez
Ranking Member, Subcommittee on Early Childhood, Youth and Families
Hearing on the Reauthorization of National Assessment of Educational Progress
and the National Assessment Governing Board.
June 11, 1998

GOOD MORNING.

I AM PLEASED TO WELCOME THE DISTINGUISHED
WITNESSES BEFORE US AS WE BEGIN TO CONSIDER
THE REAUTHORIZATION OF THE NATIONAL
ASSESSMENT OF EDUCATIONAL PROGRESS AND
THE NATIONAL ASSESSMENT GOVERNING BOARD.
TODAY, WE WILL HEAR DIRECTLY FROM NAGB AND
FROM VARIOUS LEADERS IN THE TESTING ARENA,
INCLUDING THOSE REPRESENTING THE INTERESTS
OF STATES, EDUCATORS, AND MINORITIES.

SINCE AT LEAST 1983, AND THE RELEASE OF A
NATION AT RISK, STATES AND LOCALITIES HAVE
UNDERTAKEN A MYRIAD OF REFORMS TO IMPROVE
ELEMENTARY AND SECONDARY EDUCATION.
EARLY IN THE BUSH ADMINISTRATION THE
NATIONAL COUNCIL ON EDUCATION STANDARDS
AND TESTING RECOMMENDED THE
ESTABLISHMENT OF NATIONAL CURRICULUM
STANDARDS AND NATIONAL CRITERIA FOR
ASSESSMENTS.

GOALS 2000 LEGISLATION ADOPTED IN THE 103RD
CONGRESS ESTABLISHED A FRAMEWORK TO ASSIST
IN THE FINANCING OF STATE EDUCATION
STANDARDS AND ASSESSMENTS, IN ADDITION TO
THE ESTABLISHMENT OF NATIONAL EDUCATION
STANDARDS.

UNFORTUNATELY, THE PROBLEM OF STUDENT
ACHIEVEMENT STILL PLAGUES OUR NATION.

THE RECENT RESULTS OF THE NATIONAL
ASSESSMENT OF EDUCATION PROGRESS AND THE
THIRD INTERNATIONAL MATHEMATICS AND
SCIENCE STUDY, DESPITE SHOWING IMPROVEMENT
FOR AMERICA'S STUDENTS OVER PREVIOUS
STUDIES, STILL EXHIBITED THE FACT THAT OUR
CHILDREN HAVE ROOM TO IMPROVE, ESPECIALLY
IF AMERICA IS TO REMAIN COMPETITIVE AS A
NATION.

DESPITE THE RECOGNIZED NEED FOR HIGH
QUALITY, CHALLENGING ACADEMIC STANDARDS,
AND ASSESSMENTS THAT MEASURE STUDENT
ACHIEVEMENT OF THESE STANDARDS, THE
DEVELOPMENT AND IMPLEMENTATION OF
ASSESSMENTS HAVE ALWAYS BEEN
CONTROVERSIAL.

IT IS IMPERATIVE THAT THOSE CREATING AND CONDUCTING ASSESSMENTS ENSURE THAT ALL CHILDREN ARE INCLUDED. PROVISIONS MUST BE MADE TO ALLOW LIMITED ENGLISH PROFICIENT STUDENTS, CHILDREN WITH DISABILITIES, CHILDREN FROM DISADVANTAGED BACKGROUNDS, AND MINORITIES TO BE TRULY REFLECTIVE OF THE ACHIEVEMENT OF AMERICA'S CHILDREN. IN ADDITION WE MUST BE ABLE TO DISAGGREGATE DATA TO TRULY DETERMINE THE PERFORMANCE OF ALL OUR STUDENTS - INCLUDING SPECIFIC POPULATIONS OFTEN OVERLOOKED.

IN OUR EFFORTS TO REAUTHORIZE NAEP AND NABG, WE SHOULD EXAMINE THE CURRENT STRUCTURE OF OUR NATION'S REPORT CARD. SHOULD NAEP BE ASSESSING OUR STUDENTS IN ALL THE VARIOUS ACADEMIC DISCIPLINES THAT IT ENCOMPASSES TODAY? ARE THE ACHIEVEMENT LEVELS APPROPRIATE? WHAT SHOULD BE DONE TO INCREASE THE BOARD'S INDEPENDENCE?

CLEARLY, THESE QUESTIONS AND THOSE RELATED TO NABG'S CONTROL OF THE PRESIDENT'S NATIONAL TESTING INITIATIVE ARE IMPORTANT TOPICS FOR THE COMMITTEE TO CONSIDER. THANK YOU MR. CHAIRMAN.

*APPENDIX C -- WRITTEN STATEMENT OF MARY R. BLANTON, VICE CHAIR,
NATIONAL ASSESSMENT GOVERNING BOARD*

Testimony of Mary R. Blanton
Vice Chair, National Assessment Governing Board
before the
Subcommittee on Early Childhood, Youth, and Families
Committee on Education and the Workforce
U.S. House of Representatives

Reauthorization
of the
National Assessment of Educational Progress
and the
National Assessment Governing Board

June 11, 1998

Good morning. Mr. Chairman, I am pleased to be appearing before the Subcommittee on Early Childhood, Youth, and Families of the House Education and the Workforce Committee, to testify today on behalf of the National Assessment Governing Board, the policy-setting board for the National Assessment of Educational Progress.

I am Mary R. Blanton, the current Vice Chair of the Governing Board. Secretary Lauro F. Cavazos appointed me to the Board in 1990 and Secretary Richard Riley reappointed me in 1994, to serve as one of the four members of the general public on this 26-member Board. I am an attorney by profession. Most importantly, I am a parent of four children, ages 11, 13, 15, and 17, who attend public schools in Salisbury, North Carolina.

Congress created the Governing Board in 1988. Its primary job is to set policy for the National Assessment of Educational Progress. The Board, through a national consensus process, determines what will be included in each assessment and sets achievement levels for reporting student performance. The Board also designs the methodology for each assessment and has the responsibility for improving the form and usefulness of the National Assessment overall. In my testimony, I will describe the Board's activities to redesign and improve the National Assessment.

By law, the Governing Board is bi-partisan and conducts its work independent of the Department of Education, although its 26 members are appointed by the Secretary of Education and, for administrative purposes, its staff is considered to be on the Department rolls. Both the Board and the Department take seriously the legislative mandate about the Board's independence, which I will address in more detail below.

Last November, under the FY 1998 Education appropriations act, Congress gave the Governing Board responsibility for developing voluntary national tests in 4th grade reading and 8th grade mathematics. The appropriations act and accompanying conference report contained a number of requirements and additional guidance. The Governing Board has worked hard to follow the letter and spirit of these requirements and guidance, recognizing that they represent a bi-partisan compromise. Later in my testimony I will describe the Board's activities on voluntary national tests.

National Assessment Reauthorization: Background

Since 1969, the National Assessment of Educational Progress has provided national and regional information on the achievement of students at three age and/or grade levels in core subject areas and on education progress over time. The National Assessment has earned respect for its quality, admiration for its innovations, and trust for its integrity.

In 1988, following the recommendations of the Alexander/James study panel, commissioned by Secretary William J. Bennett, the Congress authorized major changes in the National Assessment. For the first time, beginning in 1990, state-level data was provided on a voluntary, trial basis. The law gave operational responsibility for the National Assessment to the National Center for Education Statistics (NCES). The National Assessment Governing Board was created as an independent, bi-partisan

citizens' board, representing state and local perspectives, to set policy for the National Assessment. And achievement goals (now referred to as achievement levels or student performance levels), to be developed by the Governing Board, were authorized for reporting National Assessment results in terms of standards of performance. The levels would help the public understand "how good is good enough" on the National Assessment.

The 1994 reauthorization of the National Assessment made state-level assessments and standards-based reporting regular components of the program. The Governing Board's authority also was continued, but with some limitations on its independence, about which I will have more to say.

This brings us to the present reauthorization cycle. As you know, the 1994 reauthorization was for three years only, in contrast to the previous five-year authorization periods. The three-year authorization ended on September 30, 1997, but was extended automatically for one year under the General Education Provisions Act (GEPA). Congress must take some action by September 30, 1998 if the National Assessment and the Governing Board are to have authority to continue beyond that date.

With this as background, I will focus my remarks today on four areas:

- Redesign of the National Assessment of Educational Progress
- The structure and responsibilities of the Governing Board
- Recommendations for legislation
- The Board's activities on the voluntary national tests

As requested by Chairman Riggs, I also will address the issue of making all K-12 categorical aid except IDEA funding contingent upon states having in place a system of competency-based assessments in each grade that would be certified by states to the Governing Board.

I will turn first to National Assessment redesign.

National Assessment Redesign: An Overview

Why Redesign the National Assessment?

There is much about the National Assessment that is working well, but there also is a problem. Under its current design, the National Assessment tests too few subjects, too infrequently, and reports results too late—during the 1990's as much as 18 to 24 months after testing. This is because the National Assessment has become increasingly complex over the years. Its quality and integrity have led to a multitude of demands and expectations beyond its central purpose. Meeting those expectations was done with good intentions and seemed right for the situation at the time. However, additions to the National Assessment have been "tacked on" without changing the basic design, reducing the number of subjects that can be tested and driving up costs.

Planning Work Group

In light of these concerns, the Governing Board created a work group on planning in November 1994. The purpose of the work group was to review the purposes and effectiveness of the National Assessment, identify the needs of its audiences, and recommend options for improving the National Assessment's usefulness.

The work group on planning made its recommendations to the full Board almost two years later, in August 1996. This work involved many commissioned papers, expert advice, public hearings, public comment on draft policies, and many hours of deliberation by the Board.

On August 6, 1996, the Governing Board adopted a comprehensive policy statement on redesign of the National Assessment. The aspects of the policy statement I will address today concern NAEP's purpose, its audience, the schedule of assessments, state-level NAEP, and standards-based reporting.

Purpose and limits

The policy statement discusses "purpose" in light of what the National Assessment is well designed to do and what it does less well. An aim of redesign is to focus NAEP's activities on what it does best. The Governing Board believes that the primary purpose of NAEP is stated well in the current authorizing legislation:

"To provide a fair and accurate presentation of educational achievement in reading, writing, and the other subjects included in the third National Educational Goal, regarding student achievement and citizenship."

Thus, the central purpose of the National Assessment is to inform the American public on the status of student achievement. While it is intended to describe how well students are performing, it is not designed to explain why. The National Assessment is a survey that collects data across time on different samples of students; it is not a research study following the same students over time. The National Assessment only provides group results; it is not an individual student test. The National Assessment is independent of any particular curriculum and does not promote specific ideas, ideologies, or teaching strategies. Nor is the National Assessment, by itself, an appropriate means for improving instruction in individual classrooms, evaluating the effects of specific teaching practices, or determining whether particular approaches to curricula are working.

Schedule of assessments

As noted above, the consensus was that the National Assessment tests too few subjects, too infrequently. For example, in its first decade, NAEP tested 2-3 subjects annually; during the 1990's, 2-3 subjects every other year. The Board decided that this was not good enough. The Governing Board has now adopted a schedule of assessments through the year 2010 that provides for annual testing at the national level beginning in 2000 and state-level testing in even-numbered years. This long-range schedule is to enable states to plan ahead for participation and educators, policymakers, researchers, and others to anticipate opportunities to use NAEP data.

Audience and reports

We also found that the audience for National Assessment reports had not been well defined. Past reports had been long and technically oriented, aimed more for researchers than the general public. One study by Ronald K. Hambleton showed that even generally well informed policy makers found National Assessment reports difficult to interpret correctly.

Because the general public is the primary consumer of K-12 education, the Governing Board established the general public as the primary audience for National Assessment reports. The Board required that reports be understandable, jargon free, easy to use, widely disseminated, and timely.

Instead of a one-size-fits-all approach to reporting, the Board required that the amount of detail be varied. Thus, when a subject is assessed for the first time using a new test, we will issue a comprehensive report, providing an in-depth look at a subject with much data and ample background information. When that subject is tested again, say four years later, we will issue a "standard" report, providing overall results with achievement levels, average scores, and breakdowns by sex, race/ethnicity, socio-economic status, and public/private schools. By varying the amount of detail in reporting, we can be more efficient and cover more subjects. In addition, the Governing Board has set a reporting goal of 6-9 months after testing, to ensure that the public receives results in a timely manner.

While establishing the general public as the primary audience for NAEP reports, the Governing Board established policy makers, educators and researchers as the primary users of National Assessment data. The Board required that NAEP data be available to these users in forms that support their efforts to interpret results to the public, to improve education performance, and to perform secondary analysis. This distinction between audience for reports and users of data helped clarify limits on what NAEP should do directly versus facilitating research and analysis to be performed by others on questions of immediate interest to them.

State-level results

State-level reporting is a crucial part of NAEP redesign. The regional reporting that characterized early NAEP reports has limited utility. Since 1990, 49 of the 50 states have participated in state NAEP, although the number of states participating in any one year has varied from 37 to 43. States have jurisdiction over education policy and view state-level NAEP results as useful in informing their policy development. They want to have an external, trusted measure of educational performance as a component of their assessment systems. For example, the 1994 NAEP reading results for California were considered as a part of a review of reading instruction in the state. North Carolina closely monitors its progress over time on state NAEP results and is now conducting a study, in cooperation with the Governing Board, comparing its state standards and assessments in mathematics with NAEP.

Representatives of the states with authority for policy and for testing asked the Governing Board for a regular, predictable schedule of state-level NAEP assessments in reading, writing, mathematics, and science in grades 4 and 8. The states do not want state-level NAEP assessments in grade 12. As a result, the Governing Board schedule through the year 2010 provides for state-level assessments in grades 4 and 8 in even-numbered years, alternating mathematics and science (2000, 2004, and 2008) and reading and writing (2002, 2006, and 2010).

Standards-based reporting

An important part of National Assessment redesign is the continuation of standards-based reporting of National Assessment results. These are the NAEP achievement levels, or student performance levels as they are called in the NAEP law.

The achievement levels describe "how good is good enough" on the various tests that make up the National Assessment. Until 1990, NAEP only considered current student performance in light of previous performance on the same test. For example, the average mathematics score of 4th graders may have been reported as going up (or down) 4 points on a 500 point scale. But there was no way of knowing whether either score represented strong or weak performance and whether the amount of change should give cause for concern or celebration.

In contrast, the National Assessment now reports the percentage of students performing at or above "basic," "proficient," and "advanced" levels of achievement. Proficient, the central level, represents competency over challenging subject matter, as demonstrated by how well students perform on the questions on each National Assessment test. Basic denotes partial mastery and advanced signifies superior performance on the National Assessment. The use of achievement levels allows the public to make judgments about whether performance is adequate, whether "progress" is sufficient, and how the National Assessment standards and results compare to those of other tests, such as state and local tests.

The achievement levels have been the subject of several independent evaluations. Information from these evaluations, as well as from other experts, has been used to improve and refine the procedures by which the levels are set. Although the current procedures are among the most comprehensive and sophisticated used for education standard-setting in the world, the Governing Board remains committed to improving the process and to the continuing conduct of validity studies.

Structure, Responsibilities and Independence of the Governing Board

Structure of the Governing Board

Congress created the Governing Board in 1988 following the recommendation of the Alexander/James study panel that

"The governance and policy direction of the national assessment should be furnished by a broadly representative [body] that provides wisdom, stability, and continuity; that is charged with meshing the assessment needs of states and localities with those of the nation; that is accountable to the public—and to the federal government—for stewardship of this important activity; but that is itself buffered from manipulation by any individual, level of government, or special interest within the field of education."

This is a challenging, but appropriate, charge.

Two factors in the NAEP legislation aid the Board in carrying out this charge: the categories of membership and the specific responsibilities given to the Board. The current structure of both of these factors reflect wisdom on the part of Congress.

The categories of membership overwhelmingly represent state and local interests and perspectives on education, but appropriately include technical and public participants as well. State and local interests are represented by two governors and two state legislators (on a bi-partisan basis); two chief state school officers and one local school superintendent; one state-level and one local board of education member; three teachers; one secondary and one elementary principal; and one representative of non-public schools. Technical concerns are represented by two curriculum specialists and three test and measurement experts. Rounding out this group are the perspectives of four members of the general public/parents and one representative of business. The Assistant Secretary, Office of Educational Research and Improvement, sits as a non-voting, *ex-officio* member.

The strong state and local orientation of the membership categories ensures that the National Assessment will address the needs of states and localities. It protects against using NAEP as a means toward a national curriculum or the Governing Board becoming a "national school board." Having curriculum specialists and testing experts "at the table" gives them a vote, not just a voice, which ensures that Board decisions are credible from both policy and technical perspectives. Including slots on the Governing Board for parents and business leaders ensures that NAEP policy is influenced by the consumers of education.

Responsibilities of the Governing Board

The specific responsibilities of the Governing Board under the law are critical to the conduct of the National Assessment. The Board does not play a mere advisory role, with no real authority. Instead, it has operational responsibilities that are part and parcel of each assessment.

For example, the Governing Board determines the content of each assessment. This is done in several ways. First, the Board conducts a national consensus process to determine the scope and content of each assessment. This process results in a test framework, or blueprint, for each subject. In addition, the Board develops test specifications, essentially detailed instructions that amplify the frameworks, which guide

the test writers. Also, the Governing Board has the final say on the appropriateness of test questions; only test questions approved by the Board can be included on an assessment.

However, the law is silent about the Board's role on NAEP "background" questions. These are survey items reported by students, teachers and principals that relate to teaching practices and policy (e.g. amount of homework, TV watching, use of calculators, hours of inservice training, etc.). Since the law is silent about the Board's role, the decision responsibility is assumed to fall with the National Center for Education Statistics. The Board has, however, taken upon itself the role of providing NCES advice on the background questionnaires for each assessment, which NCES is free to follow at its discretion.

Under the law, the Board is responsible for selecting the subjects to be assessed, setting achievement levels (described in some detail above), designing the methodology of the assessment, developing guidelines for reporting and dissemination, developing standards and procedures for interstate, regional and national comparisons, acting to improve the form and use of the National Assessment, and ensuring that all test items are free from bias.

Because NCES is responsible for carrying out the decisions of the Board on NAEP, there must be much collaboration with NCES. We would characterize the working relationship with Commissioner Pascal Forgione, Jr. and the NCES staff as professional and collegial. Collaboration, while not always efficient, sometimes does promote deliberative decision-making. In a collaborative relationship, there always is some ambiguity about respective roles and responsibilities. However, less ambiguity is better than more.

Independence of the Governing Board

The NAEP legislation states that "In the exercise of its responsibilities, the Board shall be independent of the Secretary and the other offices and officers of the Department [of Education]." The law also states that "The Secretary and the Board shall ensure at all times that...the Board exercises its independent judgment, free from inappropriate influences and special interests." This is how Congress put into effect the Alexander/James recommendation, noted above, that an independent body give policy direction to the assessment and serve as a buffer against manipulation of the assessment by special interests. This is to keep ideology and politics out of the National Assessment.

The Board has acted accordingly. Our test frameworks and achievement levels are aimed at "what" and "how much" students know and can do, not how they are taught. The Board sees to it that NAEP does not advance particular curricula or teaching strategies. The Board also ensures that the National Assessment is focused on student achievement, not student beliefs and opinions of a personal nature. And since NAEP reports only group level results, no individually identifiable student information is maintained by the federal government.

The Secretary, the Department officers, and the NCES Commissioner act in accord with the Board's independence. Frankly, the Board's being at the same time independent but located within the Department was in 1988 a bureaucratic oddity for which no model existed. With good will and persistence, the Board and the Department found a solution. In 1992, a Memorandum of Understanding, signed by then Secretary Lamar Alexander and then Board Chairman Richard Boyd, acknowledged the Board's independence and authorized specific delegations of authority from the Secretary to the Board in areas such as personnel, contracting, and budget. This has worked very well.

In 1994, the Governing Board's independence was weakened. The length of terms for Board members was reduced from four years to three. Because NAEP is a very complex program, it takes about a year or two for new Board members to become well oriented. Three-year terms create a challenge for developing Board leadership and increase the potential for becoming overly reliant on staff. Also, the 1994 legislation removed the requirement for the Secretary to fill vacancies from slates of nominees submitted by the Governing Board. The original idea of Board-developed slates was to preclude politics and ideology from entering into the process. It worked well. In fact, Secretary Riley has asked the Board to continue to prepare slates of candidates for his consideration.

However, there are some changes that could be considered should Congress decide to strengthen the Board's independence. These have been mapped out as two basic alternatives by the Congressional Research Service in its recent report on issues in NAEP reauthorization.

The first alternative involves incremental changes to the current legislation. Examples of such changes include requiring the Secretary to delegate authorities to the Governing Board (the Secretary now has the authority to retract the current delegations), expanding the definition of the Board's independence, re-instituting the requirement for the Secretary to make appointments to the Board from nominations submitted by the Board, and increasing the length of Board appointments from 3 years to 4 years.

The second alternative is not incremental. It involves making the Governing Board an independent agency and giving it total budget and operational, as well as policy, responsibility for the National Assessment.

The Board views itself as a creature of Congress, acting as effectively as possible to carry out its assigned responsibilities. Whether and how to strengthen the Board's independence is a subject that the Congress must decide. We believe that the Board's independence is essential to protect NAEP's credibility and integrity. However, the Board has not discussed the implications of the two alternatives suggested by the Congressional Research Service and is not prepared to comment on these alternatives at this time.

Recommendations for the NAEP Legislation

Following below are four specific recommendations related to reauthorization:

1. Extend the current authority for the National Assessment and the Governing Board beyond September 30, 1998.

The authority for the National Assessment and the Governing Board expires on September 30, 1998, the end of the one-year GEPA extension. The Congress must take some action to continue the National Assessment and the Governing Board if they are to function after September 30. At least three options are available to continue NAEP and the Governing Board beyond September 30. The three options, listed in order of their desirability, are: (a) full reauthorization, (b) simple continuation of the current legislation, or (c) continuation through a program appropriation.

2. Return the National Assessment and the Governing Board to at least a 5-year authorization period, longer if possible.

The 1994 reauthorization, unlike the preceding one in 1988, was for three years only. This is too short a period. An assessment cycle (involving framework development, test writing, piloting and field-testing, test administration, and reporting) may take as long as five years from inception to reporting. The grant period for NAEP is typically five years. A three-year authorization builds too much uncertainty into program operations.

3. Take modest actions respecting the NAEP legislation, consistent with the Governing Board's policy on redesign.

Such actions include requiring annual data collection, providing for the reporting of results within six to nine months after data collection, making age-based data collection discretionary, continuing standards-based reporting, and making state assessments a regular part of the NAEP program.

4. Address the issue of the independence of the Governing Board.

The Congress should deliberate on the nature and degree of independence that is appropriate for the Governing Board to exercise.

The Governing Board's Activities on Voluntary National Tests

In November 1997, Congress enacted P.L. 105-78, the appropriations act for the Departments of Education, Labor, and Health and Human Services. Sections 305 through 311 contain provisions pertaining to voluntary national tests in 4th grade reading

and 8th grade mathematics. The provisions give exclusive authority for test development to the National Assessment Governing Board, provide for three studies by the National Academy of Sciences, and prohibit the use of FY 1998 funds for pilot testing, field testing, implementing, administering, or distributing any national tests, with the exception of NAEP and the Third International Mathematics and Science Study.

Congress showed confidence in the Governing Board in its grant of exclusive authority over test development for the voluntary national tests. We appreciate that confidence and have been working accordingly. But it is not an easy job. The Board is in the difficult and unusual position of having complete authority to develop the tests, but is not to assume that it has the authority to proceed after September 30. Although this assignment comes with a degree of uncertainty attached, we have been careful and deliberative in making judgments about what is appropriate to do and where to draw the line on allowable activities.

The law gave the Governing Board 90 days to review, and revise or terminate as deemed necessary by the Board, the test development contract the Education Department had let to American Institutes for Research. The legislation also called for the Board to make four determinations with respect to the test items developed under the contract, having to do with bias; accuracy; the needs of disadvantaged, limited English proficient, and disabled students; and informing parents and students about test content, purposes and uses. The conference report asked the Board to hold public hearings on its test development work and on the recommendations made by the National Academy of Sciences studies.

The Governing Board has worked hard to carry out the letter and the spirit of these provisions. At its November meeting, the Board established a special committee to review the contract. To meet the timeline, the Board scheduled an extraordinary meeting in January 1998, to review the recommendations of the special committee. A modified contract with the American Institutes for Research was signed within the 90-day time frame prescribed by the legislation. Among the changes the Board made were:

- Changing the contract period to end on September 30 rather than August 15 (as originally awarded) to align decisions about the contract with the timeline for expected guidance from Congress and the release of the National Academy of Sciences studies.
- Changing the test development schedule such that pilot testing would occur in March 1999 (absent a legislative prohibition), field testing in March 2000, and test administration in March 2001. This was in contrast to the previous contract, which originally had planned pilot testing in the fall of 1997, field testing in March of 1998, and test administration in March of 1999. (After the Department issued a stop-work order to the contractor in September 1997, this original schedule shifted to fall of 1998 for pilot testing, March 1999 for field testing, and March of 2000 for test administration.)

- Incorporating the prohibition on the use of FY 1998 funds for pilot testing, field testing, test administration or dissemination.
- Clarifying the Governing Board's exclusive authority over test development, pursuant to P.L. 105-78 and ensuring that all policy decisions are made by the Board.
- Ensuring extensive deliberation and public comment before the Board decides on accommodations to be used with disabled or limited English proficient students.
- Providing information for the Board to make the four determinations required under the law.

At its March meeting, the Board approved test specifications for the proposed voluntary national tests. These specifications replace those that had been developed under contract to the Department of Education. Under the Governing Board's test specifications:

- The 4th grade reading and the 8th grade mathematics tests would be based on current NAEP test frameworks and NAEP achievement levels would be the primary means for reporting results (consistent with the conference report admonition that the tests are "to be based on the same content and performance standards as [the National Assessment and] linked to NAEP to the maximum extent possible").
- Neither test would be tied to a preferred teaching method or approach.
- Credit would be given only for correct answers. There will be no "fuzzy" reading or "rainforest" mathematics.
- No questions will ask students about personal experiences, attitudes, or feelings.

At its May meeting, the Board took action on four proposals submitted by the contractor. These proposals include:

- The design for the March 1999 pilot test. The Board approved the general direction of the pilot test design and authorized the Board's Design and Methodology Committee to review and approve final refinements to the plan expected to be completed before August. The approval of the plan does not constitute approval to conduct the pilot test itself. The pilot test planned for March 1999 will not be conducted if it is prohibited by federal law.
- Work plans on accommodations, test use, and test reporting. The Governing Board approved the respective work plans on accommodations, test use, and test reporting. The three work plans describe activities and timelines by which the contractor will assist the Governing Board in developing policies in these areas. The work plans include hearings and other activities aimed at engaging experts and the public in developing policy. Although the Board took action on the work plans, it is important to note that the Board has not yet taken action on associated policies. As

with the pilot test design, activities under the work plans will not be conducted if they are prohibited by federal law.

To keep Congress informed on the Board's decisions and activities related to voluntary national tests, following each meeting we have provided reports on a bi-partisan basis to the cognizant leadership of the authorizing and appropriations committees and subcommittees. We also have offered to provide personal briefings at the request of interested Members of Congress. We believe that we are following the dictates and guidance of Congress as expressed in P.L. 105-78 and the accompanying conference report.

Making K-12 Categorical Aid Contingent on State Systems of Competency-based Assessments

I will limit my remarks about the proposal to make federal aid contingent on state systems of competency-based assessments to those aspects likely to affect the Governing Board and the National Assessment.

Under the proposal, states would certify to NAGB that they have competency-based assessments at each grade, from kindergarten to grade 12, and that students must pass the assessment in order to move to the next grade or graduate from high school. In addition to the certification, states would have to submit a report to the Board on their state content standards, state performance standards, and state assessments. NAGB would serve as a clearinghouse to make the information available to the public and provide comparisons of the standards and assessments, including their relative quality, one to another.

As Congress takes up this proposal, I believe that it is important to consider the potential implications for the National Assessment and for the Governing Board.

The proposal would change the role and character of the Board in very significant ways. Currently, the Board's main job is to oversee the National Assessment, ensuring that state, local, and public/parent perspectives are the basis for NAEP policy. The Board's general approach with NAEP is consensus building in a non-threatening environment, bringing together people who represent widely divergent perspectives. The proposal would transform the Board into a regulatory agency with the power, potentially, to limit federal categorical funding to states.

The proposal also could affect the National Assessment, changing its current voluntary nature to one that states would view as more prescriptive. For example, in evaluating the quality of state standards and assessments, it seems reasonable that the Governing Board might use its work on NAEP as a basis for the review of state standards and assessments. If federal funding were contingent upon state submissions, would states therefore give NAEP more weight in designing their standards and assessments than they would otherwise? Would states feel compelled to participate in NAEP in order to receive

federal funding? These questions, unanswered at present, indicate the potential for NAEP becoming a coercive policy instrument under the proposal.

Finally, I wonder whether the role proposed for the Governing Board does not duplicate that of Achieve, Inc. Achieve is a privately funded organization, established by the National Governors Association and the business community to serve as a clearinghouse to provide comparative information about state standards and assessments.

Mr. Chairman, thank you for this opportunity to provide views on the reauthorization of the National Assessment and the Governing Board. I would be pleased to answer any questions you may have.

*APPENDIX D – WRITTEN STATEMENT OF NANCY DOOREY, DELAWARE STATE
BOARD OF EDUCATION, NATIONAL ASSOCIATION OF STATE BOARDS OF
EDUCATION*

TESTIMONY

OF

NANCY A. DOOREY

Member, Delaware State Board of Education

on behalf of the

National Association of State Boards of Education

United States House of Representatives

Early Childhood, Youth and Families Subcommittee
Education and the Workforce Committee

June 11, 1998

Washington, DC

Good morning, Chairman Riggs and members of the subcommittee. On behalf of the National Association of State Boards of Education (NASBE) I want to thank you for the opportunity to appear before you today to discuss the National Assessment of Educational Progress (NAEP) and the National Assessment Governing Board (NAGB). Student assessments are one of the most important and high-profile issues in education today. As a member of the Delaware State Board of Education, I am proud to serve a state that is a nationally recognized leader in the discussion and policy evolution of standards and assessments.

Mr. Chairman, we appreciate the subcommittee's recognition of the role and responsibility state boards have in American education. State boards are the very embodiment of the enduring American tradition which values lay governance of education and the separation of educational policymaking from partisan politics. My state board of education colleagues from around the country and I serve as unbiased decision-makers focused on the long-term best interests of the public and all of the students in our states. While we have extensive areas of jurisdiction, most importantly for the purposes of this hearing, state boards have authority over state assessment policy, including participation in NAEP, and therefore have a particular interest in any modifications to this program.

From a policymaker's perspective, the National Assessment of Educational Progress has long been a valuable tool in our efforts to improve schools, allowing us to track the achievement levels of our nation's students by utilizing a consistent set of academic frameworks. In the 1990s NAEP was redesigned to be more "user friendly." NAEP now reports state-level results, increasing the relevance to state policymakers and allowing the general public to make achievement comparisons across state borders and over time. In addition, NAEP followed the states' lead toward standards-based reform and increased accountability by developing subject frameworks and performance standards in each subject tested. These standards have become invaluable to state educational leaders who use them to help develop and benchmark their own content and performance standards and to inform policy decisions.

Given NAEP's success, it is tempting to expand the program beyond its original purpose in order to address a multitude of other pressing needs for assessment data. For example, some people want district, school, or even individual results. We urge you to avoid this temptation, particularly in terms of providing school or individual-level data. There are a number of reasons to be very cautious about any NAEP expansion.

First, NAEP fulfills a vital need for a nonpolitical, criterion-referenced nationally representative test. It is the *only* continuous nationwide measure of what American students know over time and across states, making it the only source of information for states wanting to measure student achievement against other states or for the federal government to understand state/national student achievement over time. While other assessments are used (or misused) for cross-state comparisons, the Scholastic Assessment Test (SAT) comes to mind, none have NAEP's controlled sampling or clearly defined achievement criteria which allows for truly meaningful comparisons.

The fact is, NAEP is successful because it addresses a particular need and has a clearly defined focus. As we in the states know, no single test can "do it all." That is why states

establish assessment *systems*. It would be unfair and unwise to burden NAEP with extraneous provisions that move it away from its original purpose. Inevitably, a test asked to do everything will do nothing well.

Second, providing individual, school or even small district NAEP data inordinately magnifies the importance of these scores. It would inappropriately raise the stakes for individual students and schools. Earlier this decade, NAEP was expanded to provide state-level data. This change provided some degree of de facto stakes, since politicians, the public, and educators use these scores as part of their overall assessment of how well the state system is performing. We think this is appropriate.

However, many problems arise when you have such de facto stakes for schools or individuals. Believe me, local papers and realtors would get a hold of these scores and schools would feel pressure to do better on the NAEP tests. Yet state and district tests, based on locally developed standards, already exist for accountability and school improvement purposes. Explicitly legislating even minor accountability provisions into NAEP will effectively hold students to two different sets of standards, federal and state. Such an approach undermines the states' educational authority and places the federal government in the undesirable and, we believe, unwanted position of enforcing national standards.

Finally, there are significant costs associated with school-level results because of the scientific need for a much larger sample size than is currently in place. NAEP's content tests are incredibly extensive and were never intended to be given as a whole test to each student. Any attempt to have individual students take the entire test would entail substantially shortening the tests and thus drastically reducing their overall quality. Most importantly, there is no need for this level of detail. That is why we have state and district assessments, to provide this specific information.

In another important area, the full participation of all students in the testing samples is of great concern to NASBE, an organization in the vanguard of inclusive educational policies. We want to commend you again for acknowledging this need by requiring the inclusion of all students with disabilities in future statewide assessments under last year's reauthorization of the Individuals with Disabilities Education Act (IDEA '97). We hope this principle of inclusive testing is embraced at the federal level through NAEP, as it has been imposed upon the states through IDEA.

NASBE is pleased that NAGB has responded to the need for more frequent testing of *all* subjects by administering NAEP tests every year and that tests for each subject will be given at least twice a decade. Too many years elapsing between tests makes it difficult, if not impossible, to establish a meaningful trend line. NAGB has also been sensitive to the need for a shorter lag time in reporting results. Congress can greatly support NAGB's objective by providing increased funding to further reduce this reporting time.

It is precisely because NAEP information is so valuable to educators that they eagerly anticipate its release. The survey information compiled by NAEP is some of the most important data in the entire field of education, correlating behaviors, attitudes, experiences, and

backgrounds with student performance. At the very least, this data collection should be maintained and, if possible, expanded for greater comprehensive and contextual analysis.

Perhaps the most critical issue is the need to insure program stability and thus the validity of the results over time. Toward that end, we ask you to consider an authorization length of at least five years minimum.

Before I make my final and most important point about the reauthorization of NAEP, I want to briefly comment on a proposal to make federal categorical aid contingent upon states instituting high-stakes competency tests at every grade level and submitting their content and performance standards and assessments to NAGB or the Department of Education for comparative analysis. While we appreciate the underlying intent to encourage every state to establish an assessment system and to prohibit social promotion, the idea as outlined to us is ill-advised. Implementing such tests would be expensive, would likely lead to a profusion of low-quality, minimum competency tests, and would needlessly intrude into states' current plans for assessments and accountability.

There is reason to believe that testing at key stages, instead of every year, is sufficient for high stakes purposes. Every-year tests are most useful for remediation, one of the schools' most important functions in a standards-based system, something that is not addressed in this proposal.

Furthermore, NAGB's (or the Department of Education's) collection, analysis, and dissemination of state assessment and standards information would assign a role to either of those entities which they are neither prepared nor qualified to meet. Comparing state standards and assessments involves making a value judgement on their relative quality that would have to be based on *national standards*. Also, there are other groups, such as the American Federation of Teachers, the Council for Basic Education, the Fordham Foundation, and Achieve, already rating these standards; further duplication of such services would only increase costs and confusion.

As I noted, NASBE strongly supports the underlying premise of the proposal, primarily that all states have high standards and that every state have an assessment program in place. However, we believe it is up to each state to develop its own high-standards accountability system with input from the public and interested parties. It is important to remember that the foundation upon which student achievement is built consists of at least five equal size pillars: assessments, student remediation, professional development, curriculum, and technical assistance to schools and districts. Emphasizing only the testing component cannot sustain this complex structure and will not be the most efficient way to improve student learning.

The last comment we would like to make has to do with the twenty-six member National Assessment Governing Board responsible for overseeing NAEP and issuing policy guidelines. There are certain interests that must serve on NAGB. Among the state education policymakers, governors, state legislators, chief state school officers, and state boards, only the state boards do not have two representatives serving on NAGB. This is a critical oversight. As noted earlier, state boards of education have authority over state assessment policy. As states continue to seek new ways to utilize NAEP, it is imperative that NAGB has sufficient representation from the

very people who are responsible for incorporating NAEP data into their state's assessment and standards policies. For this reason, we believe the requirement for a second state board of education member on NAGB, thus equalizing the representation among state education leaders, is necessary.

Of course, we make this request to you, Mr. Chairman, and your subcommittee while acknowledging that you have already recognized the expertise of state boards on assessment policy by inviting NASBE to testify before you. Again, I want to thank you for the opportunity to speak at this hearing today and we look forward to continuing to work with you on the reauthorization of NAEP and NAGB. I would be pleased to answer any questions you may have.

**APPENDIX E -- WRITTEN STATEMENT OF MICHAEL F. WARD, SUPERINTENDENT
OF PUBLIC INSTRUCTION, STATE OF NORTH CAROLINA, DEPARTMENT OF
PUBLIC INSTRUCTION, ON BEHALF OF THE COUNCIL OF CHIEF STATE
SCHOOLS OFFICERS, RALEIGH, NORTH CAROLINA**



Public Schools of North Carolina

State Board of Education
Phillip J. Kirk, Jr., Chairman
<http://www.dpi.state.nc.us>

Department of Public Instruction
Michael E. Ward, State Superintendent

REAUTHORIZATION OF THE NATIONAL ASSESSMENT OF EDUCATIONAL PROGRESS (NAEP)

TESTIMONY BEFORE THE COMMITTEE ON EDUCATION AND THE WORKFORCE UNITED STATES HOUSE OF REPRESENTATIVES

JUNE 11, 1998

Dr. Michael Ward
North Carolina State Superintendent
of Public Instruction

501 N. Wilmington Street, Raleigh, North Carolina 27601-2825
An Equal Opportunity/Affirmative Action Employer

Mr. Chairman and Members of the Subcommittee:

I am Michael Ward, State Superintendent of Public Instruction for the state of North Carolina. It is my privilege on behalf of the Council of Chief State School Officers and my state to testify on the importance of our nation's major assessment program for elementary and secondary student achievement, the National Assessment of Educational Progress (NAEP).

NAEP is essential for measurement of national results; it is essential for measurement of state-by-state results; it is essential to relate performance of U.S. students to those of other nations through international studies; and, it is essential to provide voluntary individual student test scores in reading and mathematics which can be related to state, national and international performance.

In response to the request of the Committee on Education and the Workforce for comments on reauthorization of NAEP and the National Assessment Governing Board (NAGB), CCSO's Executive Director sent a letter April 30, 1998, with comments about each of the twelve points you raised. A copy of that letter is attached. In my testimony today, I highlight major recommendations from our Council position and reinforce them on the basis of the value North Carolina has received from NAEP.

North Carolina regards the NAEP highly, and not just because our performance has shown marked improvement in recent years. NAEP is the only valid measure that North Carolina has to show how we stack up compared to the nation. Results are reported to the citizens of our state, to our legislature and to local school systems. Our agency provides analyses of NC performance to local testing coordinators and curriculum personnel. In the late 1980s, NAEP tests influenced the development of our end-of-grade tests. Because of that influence, these tests require students to respond to a variety of essay questions, to read longer passages and to perform higher level skills of analyzing and synthesizing information. In many ways, our tests mirror the rigor of NAEP.

School systems in North Carolina willingly participate in NAEP because they see it as a mechanism to view North Carolina's performance both regionally and nationally. Since 1994, we have provided information to local school systems showing how their eighth graders' mathematics performance compares statewide and nationally based on NAEP. We look forward to the time when we can expand our use of NAEP to international comparisons. Our staff is studying the feasibility of tying NAEP achievement levels to the levels we use to gauge student performance—a move that would strengthen the link between national, state and local test comparisons. I believe that this is a move that our parents, school officials and citizens would support. We intend to make more use of NAEP in the future—that's why I am here today.

We urge you to be guided by the following provisions in reauthorizing NAEP:

- 1) To provide stability and consistency for NAEP, we urge the Committee to consider a ten-year authorization for NAEP and NAGB. This would provide the program a predictable ten year schedule for the various subject areas that states could use in developing their long-range assessment plans. The value of national NAEP will be greatly enhanced with more extensive state-by-state NAEP. States must be assured of the long term commitment in order to expand use of NAEP.

2) The National Assessment was originally designed to provide results for the nation and four regions of the country. Its authorization was expanded in 1988 to report results for states on a voluntary basis. NAEP's current authorization adds the ability to report results for school districts. At each of these levels, a "snapshot" of achievement based on a sample of students is meaningful and can be used for policy decisions.

We support expansion of NAEP to allow for reporting results at the school district but not the school level. Schools would be better served by the individual student results provided by Voluntary National Tests of 4th grade reading and 8th grade mathematics, which will be linked to the NAEP frameworks and reported in terms of the NAEP scales and achievement levels. As you may recall, North Carolina was one of the first states to commit to national testing.

3) The National Assessment of Educational Progress serves as an important measure for monitoring progress toward the National Education Goals at the national, state, and large school district levels, as long as individual student results are not needed. It is not an adequate measure, given its basis in sampling, for such monitoring at most school district and school levels (as virtually all students would have to be tested without receiving any individual student results). The Voluntary National Tests, anchored to NAEP and reported in terms of the NAEP scale and achievement levels, are better suited to this purpose. That is why the Council supports the development of both NAEP and the Voluntary National Individual Tests, and continued responsibility of NAEP and the Voluntary National Tests under the policy-making authority of the National Assessment Governing Board. It is imperative that the Voluntary National Tests be linked to NAEP, while recognizing that the different purposes of the two programs may result in differences in specifications. Good decisions made for an assessment based on samples are not necessarily good decisions for a test producing individual student results.

4) To provide greater frequency of NAEP assessments requires funding the Nation's Report Card at a level which supports annual, rather than the biennial, data collection. Annual data collection will allow key areas such as reading, writing, mathematics, and science to be assessed more than once during a decade and increase the frequency of assessments in the arts, social sciences, and foreign languages.

5) The Council is strongly supportive of linking NAEP to other assessments, including both state and international assessments such as TIMSS. It is essential that such linkages be statistically valid and reliable. They must be comprehensible to the public and the education community without the appearance that the comparisons are merely "statistical manipulation."

6) The Nation's Report Card and the Voluntary National Tests need to be governed by a policy-making body that is independent and bipartisan. The National Assessment Governing Board has served that role well since its inception under the 1988 authorization. While NAGB has authority for policy decisions for NAEP and the Voluntary National Tests, the National Center for Education Statistics has authority for the implementation of NAEP. In general, this has proved to be a good balance of responsibilities and yielded an effective working relationship, and should be continued.

BEST COPY AVAILABLE

On behalf of the Council members, I thank you for this opportunity to testify. NAEP is extremely important to our nation and our states. We stand ready to assist you in assuring it continues to provide key trend lines for national and state performance and is expanded to meet new challenges for international and individual student results. Thank you.



COUNCIL OF CHIEF STATE SCHOOL OFFICERS

One Massachusetts Avenue, NW, Suite 700, Washington, DC 20001-1431 • 202/408-5505 • FAX 202/408-8072
<http://www.ccsso.org>

April 30, 1998

Committee on Education and the Workforce
 House of Representatives
 2181 Rayburn House Office Building
 Washington, DC 20515

Dear Committee Members:

On behalf of the Council of Chief State School Officers (CCSSO), I am pleased to respond to your request for comments on the re-authorization of the National Assessment of Educational Progress (NAEP), the nation's report card, and the National Assessment Governing Board (NAGB). The comments are based on positions developed and approved by our membership, initially in response to the public discussion of the re-design of NAEP conducted by NAGB and the National Center for Education Statistics (NCES). Our comments are numbered to match the twelve points of your letter of March 10, 1998.

1) To provide stability and consistency for NAEP, we urge the Committee to consider a ten-year authorization for NAEP and NAGB. This would provide the program a predictable schedule that states could use in developing long-range assessment plans. This is especially true for the state assessment component of NAEP. States must have a reliable schedule for this portion of NAEP for state planning purposes.

2) As states move to include more students with disabilities in their own state assessment programs, the National Assessment must similarly become more inclusive. Recent studies commissioned by NAGB have studied the effects and feasibility of a more inclusive NAEP model. However, the Governing Board has been forced to choose between the costs of a more inclusive model and the costs of other program enhancements. The Nation's Report Card should be consistent with and supportive of other federal legislation such as the Improving America's Schools Act (IASA) and the Individuals with Disabilities Education Act (IDEA). It must report on the achievement of all students – or at least the estimated ninety-seven percent (97%) of the students who are working toward the standards represented by the NAEP framework. This should not have to be a budget choice for NAGB. Current NAEP policies are a good starting point, but many students are still excluded from participating in NAEP because of cost considerations.

3) The National Assessment was originally designed to provide results for the nation and four regions of the country. Its authorization was expanded in 1988 to report results for states on a voluntary basis. NAEP's current authorization adds the ability to report results for school districts. At each of these levels, a "snapshot" of achievement based on a sample of students is meaningful and can be used for policy decisions. However, the value of a sample-based snapshot

President WILMER S. CODY, Kentucky Commissioner of Education • President Elect ROBERT E. BARTMAN, Missouri Commissioner of Education • Vice President HENRY R. MAROCKIE, West Virginia Superintendent of Schools • Directors DOUGLAS D. CHRISTENSEN, Nebraska Commissioner of Education • NANCY KEENAN, Montana Superintendent of Public Instruction • PETER McWALTERS, Rhode Island Commissioner of Education • BARBARA S. NIELSEN, South Carolina Superintendent of Education • NORMA PAULUS, Oregon Superintendent of Public Instruction • MARY L. PETERSON, Nevada Superintendent of Public Instruction • Executive Director GORDON M. AMBACH

BEST COPY AVAILABLE

at the school level is much more limited. It cannot be used for individual student or classroom decisions. Additionally, many schools do not have enough students to provide statistically reliable data, especially at the elementary level.

We support expansion of NAEP to allow for reporting results at the school district but not the school level. Schools would be better served by the individual student results provided by the Voluntary National Tests of 4th grade reading and 8th grade mathematics, which will be linked to the NAEP frameworks and reported in terms of the NAEP scales and achievement levels.

4) Solving the problem of NAEP assessments frequency requires funding the Nation's Report Card at a level that supports annual, rather than the biennial, data collection. Annual data collection will allow key areas such as reading, writing, mathematics, and science more than once during a decade and increase the frequency of assessments in the arts, social sciences, and foreign languages. States support more frequent data collection. States urge NAGB to reconsider the feasibility of conducting a "social studies" assessments, with results reported for the separate disciplines in manner similar to the current reporting of science.

5) The Council is supportive of most of NAGB's proposed redesign decisions for NAEP. The long-term trend data are important for tracking the nation's educational progress and that collection needs to be continued. The short-term trend data, based on consensus content standards, however, provide the benchmark to which states compare themselves. They also serve as indicators of progress toward national goals. CCSO applauds the efforts by NAGB and NCES to produce more timely and more understandable reports and urges that these efforts be continued and expanded. Periodic collection and reporting of more than a core of background variables and information makes good sense as these factors do not change frequently. While it is good to have trend data for these, periodic data is adequate - especially if response burden for schools, teachers, and students is reduced.

We support strongly a re-examination of the NAEP sample design to determine the feasibility of combining the national and state samples. This would be especially helpful for schools selected for both the national and state samples. However, this will require a re-examination of assessment administration practices for the national and state samples. It will also require consideration of state sample selection policies. In many states, participation in the state sample is required; in other states, it is voluntary. Thus, this is an area that will need to be studied very carefully.

NAEP frameworks are generally available for use by states, districts, and schools. However, the use of NAEP released items is often hindered by the cumbersome policies and requirements. Allowing states access to the unreleased items is worth pursuing, if secure testing agreements and arrangements can be established. NAGB should also explore gaining broader use agreements for copyrighted material that are part of or the basis for assessment items. Currently, states, districts, and schools must secure their own permission to use these copyrighted materials though the materials are part of or the basis for released NAEP items. NAGB should also consider exploring the feasibility of using assessment items developed by state assessment

programs. Many of the more innovative assessment practices are currently being developed by state assessment programs (e.g., gridded and drawn responses).

6) NAEP was designed to be a national testing program and needs to remain such. It was not designed for use as a "high stakes" assessment, and to use it as such would require a major redesign that would probably destroy long- and short-term trend data and raise substantial doubt as to the reliability of subsequent data collections. The Nation's Report Card should continue to be exactly that. Separate programs are needed for program evaluation or high stakes decisions. One such separate, but related, assessment is the National Voluntary Individual Tests in reading and mathematics. We support strongly the development of those tests.

7) The Council is strongly supportive of linking NAEP to other assessments, including both their own and international assessments such as TIMSS. It is essential that such linkages be statistically valid and reliable, and understandable by the public and the education community without sounding like statistical "magic." It is also imperative that the Voluntary National Tests be linked to NAEP, while recognizing that the different purposes of the two programs may result in differences in specifications. Good decisions made for an assessment based on samples are not necessarily good decisions for a test producing individual student results.

8) The Nation's Report Card and the Voluntary National Tests need a policy-making body that is independent and bipartisan. The National Assessment Governing Board has served that role well since its inception under the 1988 authorization. The Board must have a balance of policy-makers such as governors, state legislators, state board of education members, and chief state school officers; policy-implementers such as measurement experts, curriculum specialists, school leaders, and classroom teachers; private school representatives; and members of the general public. It must also have the authority to hear and dismiss its own staff. The current Board structure basically serves these purposes. Allowing NAGB to solicit nominations for board replacements appears to be functioning well; allowing the Secretary of Education to select members from the nominees also appears to be functioning well.

While NAGB has authority for policy decisions for NAEP and the Voluntary National Tests, the National Center for Education Statistics has authority for the implementation of NAEP. In general, this has proved to be a good balance of responsibilities and yielded an effective working relationship. Reporting and interpretation of assessment results has been the main sticking point. NCES and the Commissioner are bound by the reporting restrictions placed on federal statistical agencies. For example, a federal statistical agency may not interpret results it has gathered - a sensible safeguard. Yet NAEP results mean little without interpretation. Repositioning authority for reporting and/or interpretation of assessment results is worth consideration. However, the Council does not support placing reporting authority with the NAEP contractor, as was the practice prior to 1988.

9) Achievement levels represent informed human judgements about the desired level of results. No matter how scientifically they are determined, the basis of the determination is ultimately human judgement. The Council urges further study of the achievement level-setting

BEST COPY AVAILABLE

procedures. Such research is needed at the national, state, and local levels. NAGB, with support from NCES and the Commissioner of Education Statistics, has a responsibility to be a leader in examining the alternative methods of establishing achievement levels as has been recommended regularly by the panel appointed by the National Academy for Education.

10) The methodology used to compute NAEP results is extremely complex and understood by few. In the NAEP Redesign, this was a major issue - and the basis for recent scoring errors. NCES and NAGB are both studying simpler, alternative designs for NAEP. This investigation should be supported and actively pursued, with the understanding that any new design must preserve and continue the existing long- and short-term trend lines.

11) The National Assessment of Educational Progress serves as an important measure for monitoring progress toward the National Education Goals at the national, state, and large school district levels, as long as individual student results are not needed. It is not an adequate measure, given its basis in sampling, for such monitoring at most school district and school levels (as virtually all students would have to be tested without receiving any individual student results). The Voluntary National Tests, anchored to NAEP and reported in terms of the NAEP scale and achievement levels, are better suited to this purpose. That is why the Council supports the development of both NAEP and the Voluntary National Individual Tests, and continued responsibility of NAEP and the Voluntary National Tests under the policy-making authority of the National Assessment Governing Board.

12) If the National Assessment of Educational Progress is authorized for a ten-year period, then recompetition of the NAEP contracts on a five-year basis is a logical approach, as long as the second competition of the NAEP contract would carry the program into the next authorization for continuity purposes.

On behalf of the Council members, I thank you for this opportunity to provide this input to the reauthorization process for NAEP and NAGB. We will be pleased to assist in further development of recommendations for you.

Sincerely,



Gordon Ambach
Executive Director

BEST COPY AVAILABLE

*APPENDIX F -- WRITTEN STATEMENT OF LARRY SNOWWHITE, GENERAL
COUNSEL, MCA ENTERPRISES, INC., RIVERSIDE PUBLISHING, CTB/MCGRAW-
HILL AND HARCOURT BRACE, WASHINGTON, DC*

**STATEMENT BY LARRY S. SNOWHITE
ON BEHALF OF
RIVERSIDE PUBLISHING COMPANY,
CTB/McGRAW HILL, AND
HARCOURT BRACE EDUCATIONAL MEASUREMENT
BEFORE
THE SUBCOMMITTEE ON
EARLY CHILDHOOD, YOUTH AND FAMILIES
COMMITTEE ON EDUCATION AND THE WORKFORCE**

**HEARING ON REAUTHORIZATION OF THE NATIONAL ASSESSMENT
OF EDUCATIONAL PROGRESS (NAEP)**

JUNE 11, 1998

Mr. Chairman and Members of the Committee, thank you for the opportunity to address several key issues regarding reauthorization of the National Assessment of Educational Progress (NAEP). My name is Larry Snowwhite. I am Washington counsel to Riverside Publishing Company. Today I am appearing on behalf of Riverside Publishing Company, CTB/McGraw-Hill, and Harcourt Brace Educational Measurement. These are the three largest commercial test publishers in the country. They historically have been involved in meeting the needs of school districts and state education programs for various types of assessment instruments used to assist in measuring and evaluating the nation's school children. These companies develop, score, and provide reports on the tests that millions of elementary and secondary school students take every year. As assessment professionals, they understand and believe in high quality measurement as a vital tool for educational improvement. Indeed, their professional careers and reputations are based on their ability to produce the highest quality assessments that are appropriate for their intended use.

NAEP is a useful tool in evaluating what American students know. Its purpose is and should remain "to provide a fair and accurate representation of educational achievement in reading, writing, and the other subjects included in the third National Education Goal, regarding student achievement and citizenship." § 411(a) - 20 U.S.C. 9010(a). Furthermore, this purpose should continue to be achieved through the use of "sampling techniques that produce data that are representative on a national and regional basis" and on a state basis only where the assessment "produces high quality data that are valid and reliable" — as required by current law. § 411(b) - 20 U.S.C. 9010(b).

Statement by Larry S. Snowwhite On Behalf of Riverside Publishing Company, CTB/McGraw-Hill, and Harcourt Brace Educational Measurement
Re: NAEP Reauthorization
June 11, 1998
Page 2

Any plans to expand the mission of NAEP — whether dramatically, by making it a high stakes national test of individual students, or incrementally, by allowing district or school level reporting with the same result — should be evaluated by Congress very carefully before implementation. Congress must ensure that any planned expansion would not endanger NAEP's core functions nor disrupt NAEP's ability to produce valid and reliable trend reporting. An expanded NAEP will create pressure on school administrators and teachers to focus on the test, and as a result, build state and local curricula around the NAEP frameworks. Congress must decide whether these frameworks are appropriate educational standards for the nation.

Although the National Assessment Governing Board (NAGB) is responsible to "formulate policy guidelines for" NAEP, Congress still has the primary responsibility to determine the purposes and scope of NAEP and the authority and responsibilities of NAGB. Congress must not allow substantial changes to occur to NAEP by default.

This reauthorization is an opportunity for Congress to begin a first-ever comprehensive evaluation of NAEP and the National Assessment Governing Board. Only minimal time was spent on the 1994 reauthorization, and there has not been any comprehensive Congressional oversight since NAGB was established in 1988 or developmental state assessments were authorized in 1990. Now, NAGB is proposing another redesign that could take effect in the year 2000. Congress should not expand the national or state assessments, authorize any major redesign, or make any changes to the composition or responsibilities of NAGB until a comprehensive review has been completed.

The changes to NAEP enacted by Congress in 1990 have moved the program from a well-respected national indicator back to an evolving work-in-progress. Thus, it is premature to expand NAEP while key elements are still developmental in nature. Specifically, the state NAEP assessments and the student performance levels (now called achievement levels by NAGB) are, by law, still

Statement by Larry S. Snowwhite On Behalf of Riverside Publishing Company, CTB/McGraw-Hill, and Harcourt Brace Educational Measurement

Re: NAEP Reauthorization

June 11, 1998

Page 3

developmental. In response to a Congressional mandate (in Pub. L. 103-382, the "Improving America's Schools Act of 1994"), the National Academy of Sciences began a three-year evaluation of key aspects of NAEP. This study is due to be submitted to Congress at the end of September 1998. The study will address, among other issues: (1) whether the state-level assessments in the NAEP program are properly administered, yield valid and reliable data, and provide information that is not otherwise available; and (2) whether developmental performance levels are reasonable, valid, and informative. The state NAEP assessments will remain developmental unless, on the basis of the results of those evaluations, the Commissioner of Education Statistics affirmatively finds that these state assessments produce high quality data that are valid and reliable.

Further, the student performance levels also remain developmental unless the Commissioner determines, as a result of the NAS study, that such levels are reasonable, valid, and informative to the public. However, Congress must make an independent determination on these issues as part of any reauthorization.

Related evaluations on national testing issues are also scheduled to be the subject of two extensive studies by the National Academy of Sciences, on Appropriate Uses of Educational Tests and on Equivalency and Linkage of Educational Tests, which are to be submitted to Congress in September. NAGB is revising NAEP frameworks for math and English, and, as noted previously, also is undertaking a major redesign.

Thus, while NAEP should be reauthorized, any substantive changes to NAEP should be adopted only after there has been an opportunity for Congress to consider thoroughly the NAS evaluations, the future of the national tests, and the proposed new frameworks.

BEST COPY AVAILABLE

Statement by Larry S. Snowwhite On Behalf of Riverside Publishing Company, CTB/McGraw-Hill, and Harcourt Brace Educational Measurement

Re: NAEP Reauthorization

June 11, 1998

Page 4

NAGB has to address immensely complicated technical questions that have major impact on policy. NAGB needs to have technical concerns voiced by co-equal, voting members, who include testing and measurement experts. Given NAGB's influence on the nation's education system, through the setting of the content and achievement levels for NAEP, NAGB also needs to remain accountable to Congress and to the Department of Education.

We are concerned that there will not be enough time in this Congress to conduct the necessary thorough oversight. We recommend that any reauthorization must be informed by the NAS studies, which are scheduled to be reported only ten days before Congress' target adjournment date.

Accordingly, because there does not appear to be adequate time to give NAEP reauthorization the full consideration that is essential, we respectfully propose that NAEP should be extended for one year to enable the 106th Congress to review the NAS studies and complete oversight on the important issues related to the future of NAEP and NAGB.

We look forward to continuing to work with the Committee on Education and the Workforce by providing the psychometric expertise and experience as test publishers to your efforts to review and reauthorize the National Assessment of Educational Progress.

Thank you for this opportunity to present the views of Riverside Publishing Company, CTB/McGraw-Hill, and Harcourt Brace Educational Measurement. I will be pleased to respond to any questions.

*APPENDIX G – WRITTEN STATEMENT OF MARTHA SCHWARTZ,
MATHEMATICALLY CORRECT, SAN DIEGO, CALIFORNIA*

There is a mathematically correct solution ...
PO Box 22083, San Diego, CA 92192-2083
<http://mathematicallycorrect.com>
mathman@compuserve.com
math@mathematicallycorrect.com

**Testimony to the United States House of Representatives
Committee on Education and the Workforce
Subcommittee on Early Childhood, Youth and Families**

June 11, 1998

Respectfully Submitted
by
Dr. Martha Schwartz
Mathematically Correct

I come to you as a cofounder of Mathematically Correct, an organization of concerned parents, mathematicians, scientists, and educators across the country. Our group is decidedly non-partisan. Such things as equations in algebra class or long division in elementary school are hardly partisan issues. The implication that females and minorities can't do math like *other* people should be opposed by everyone -- left or right. Calculators in kindergarten? From socialist to libertarian, we all think not.

Our parents-based uprising resulted from severe dissatisfaction with the mathematics programs in our schools, and our concern is heightened by the poor showing of American students in comparison to our international competitors.¹ The extreme weakness that has invaded our school mathematics programs is accompanied by high-powered rhetoric from the so-called reform movement in mathematics education. We believe this *reform* is taking a bad situation and making it worse.

No one is better at putting a positive spin on a dismal situation than the educational reformer. We are constantly bombarded with lofty claims, but we see no real improvement. There are even signs that we are slipping further behind. We hear from a new crop of upset parents somewhere in the U.S. virtually every day. Their complaints and concerns tell a consistent story. American parents are growing more and more aware, and they are getting angry.

In 1996, we called for explicit, high-level standards in mathematics and for regular assessments of progress, all based on the guidance of an independent, external body.² The one positive sign in American mathematics education is that there is some movement in this direction. But, this silver lining comes with an ominous cloud. Ineffective standards and slanted and unreliable tests are worse than nothing at all. Done correctly, standards and assessments can provide a tremendous boost to our mathematics education. Done incorrectly, they can further deteriorate American achievement. Heed this warning -- the odds are that this job will be done incorrectly.

Recent history justifies our warning. In 1989, the National Council of Teachers of Mathematics issued what they called *Standards*.³ Rather blindly, these documents were supported by the leading organizations of mathematicians and educators across the country. Oddly enough, these so-called *Standards* fail to define the material that students need to learn as they move from grade to grade. Instead, they are laced with flowery language about *high-level thinking* and

communication along with prescriptive discussions of teaching philosophy and calculator use. These alleged *Standards* have precipitated change in a direction that would hide low achievement levels under a cloak of rhetoric and vagueness.

In California, we unfortunately followed this guidance faithfully. We were on the cutting edge of reform. As a result, schools in California are filled with textbooks that offer weak, low-level mathematics content, are full of color pictures and activities, and are accompanied by claims of potential accomplishments. Now our state is near the bottom of the country in achievement.⁴⁻⁵ Most of our entering state university students must now receive remedial courses.

Further evidence is provided in the *State Mathematics Standards* report from the Fordham Foundation.⁶ The mathematics standards for each state were graded, and the median grade was a "D." The report notes, *The failure of almost every State to delineate even that which is to be desired in the way of mathematics education constitutes a national disaster.*

As yet another example, consider the Los Angeles Unified School District's mathematics standards, written by the NSF-funded Systemic Initiative in LA. Clearly, even with the influence of the National Science Foundation, the result is totally ineffective.⁷ Better new standards can be found in San Diego⁸ and in California⁹, thanks largely to the fury of irate parents.

The bottom line is that the prospects of adopting high-quality standards are bleak, even when large and heretofore respectable national organizations are involved. Assessments too can suffer a similar fate. As but one example, we have found that students receiving failing grades on a rather standard algebra 1 test are able to achieve honors recognition on our revised California Golden State examination.¹⁰

The initial plan for the Voluntary National Test in Mathematics was similarly misguided. We were distressed to see the plan head in the wrong direction and publicly expressed our opposition.¹¹⁻¹³ The chairman of the development committee was the president of the National Council of Teachers of Mathematics at the very time they issued their so-called standards. He was also involved in the development of the reform-oriented mathematics textbook that has come to be known as "rain forest algebra."¹⁴⁻¹⁸ The *reform* perspective influenced the development of the plan for the voluntary test, and the result was unacceptable in many ways.

With respect specifically to the National Assessment of Educational Progress, or NAEP, we are thankful that changes to this assessment device have been made slowly and with deliberation. The NAEP still expects our children to learn arithmetic and algebra. Yet, it is distressing to learn that developers of the "rain forest algebra" book¹⁴⁻¹⁸ were the two mathematics consultants used by the National Assessment Governing Board, or NAGB, during the last revision of the NAEP framework.¹⁹ The NAEP has been moving in the direction of the so-called *reform*. If there are further changes, the NAEP could eventually lose its value altogether.

As you are well aware, many are fearful of the involvement of the Federal Government in state and local education. The risks became real for us when a high-ranking NSF official publicly criticized the new mathematics standards in California.²⁰⁻²¹ Contrary to his perspective, the Fordham Foundation Report shows that the new California Standards earned an "A" grade, superior even to the material from Japan.⁶ So far, the involvement of the Federal Government and our many fine national institutions has not helped strengthen mathematics education.

Mathematically Correct is now caught between conflicting forces -- the proverbial rock and a hard place. On one hand, high-level, explicit, content based standards and externally controlled assessments are the only real hope for our children. On the other hand, we are fearful that such efforts will be misguided and could make matters worse instead of better. Be that as it may, we hold out hope that effective standards and assessments can be developed and implemented. In this light, we offer the following recommendations:

- That the Congress do everything in its power to promote the development of explicit, detailed, objective, content-based standards of learning and reliable, objective tests to match the standards.
- That the Congress consider the criteria for the evaluation of standards as developed by the American Federation of Teachers²² and the Fordham report on State Mathematics Standards⁶, and incorporate guidance on effective standards development into any authorizing legislation.

- That the Congress work to provide greater independence to the National Assessment Governing Board so that it becomes even more immune to the influence of the Department of Education and other federal organizations.
- That the Congress adjust the membership of the National Assessment Governing Board in a way that offers parents a greater say in the assessment of their children.
- That the Congress encourage a greater and more thoughtful contribution from senior university-level mathematicians in writing standards and designing assessments.

Thank you for inviting me here to speak. Improving education is of utmost importance if this country is to maintain its position in the world, and if we wish to continue to offer opportunity to all of our citizens. The members of Mathematically Correct stand ready to assist you in this effort.

Notes:

[1] *U.S. Teens Rank Low in World Tests: High school students dismal in math, science*
Nanette Asimov

San Francisco Chronicle, February 25, 1998

<http://www.sfgate.com/cgi-bin/article.cgi?file=/chronicle/archive/1998/02/25/MN54903.DTL&type=printable>

[2] *A Program for Raising the Level of Student Achievement in Secondary School Mathematics*
Frank B. Allen

<http://mathematicallycorrect.com/allen.htm>

[3] *Curriculum and Evaluation Standards for School Mathematics*

National Council of Teachers of Mathematics, 1989

http://www.enc.org/reform/journals/ENC2280/nf_280dtoc1.htm

[4] *Another jolt on education*

Dan Walters

The Sacramento Bee, Feb. 28, 1997

http://www.sacbee.com/news/beetoday/newsroom/cap/022897/cap03_1202.html

[5] *State Kids Lagging in Math Skills*

Greg Lucas

San Francisco Chronicle, Feb. 28, 1997

<http://www.sfgate.com/cgi-bin/article.cgi?file=/chronicle/archive/1997/02/28/MN41869.DTL&type=printable>

[6] *State Mathematics Standards*

Ralph A. Raimi and Lawrence S. Braden

Fordham Report, Vol 2 #3

<http://www.edexcellence.net/standards/math.html>

[7] *A Comparison of the LAUSD Math Standards and the California Math Standards*
Mathematically Correct

<http://mathematicallycorrect.com/lausdstd.htm>

[8] *Mathematics Content and Performance Standards*

San Diego City Schools

<http://www.sdcs.k12.ca.us/standards/MathK12.html>

[9] *The California Mathematics Academic Content Standards*

Adopted by the California State Board of Education

http://www.cde.ca.gov/board/k12math_standards.html

[10] *Effectiveness of CPM vs Traditional Math*

Mathematically Correct

<http://mathematicallycorrect.com/study1.htm>

[11] *Mathematically Correct Testimony on the Voluntary National Test Plan*

Paul Clopton, Mathematically Correct

<http://intres.com/mc/hredcomm.htm>

[12] *Comments on the National 8th Grade Mathematics Test*

Mathematically Correct

<http://mathematicallycorrect.com/nvtm.htm>

[13] *Letter to President Clinton regarding the 8th Grade Mathematics Test*

Mathematically Correct

<http://mathematicallycorrect.com/letter.htm>

[14] *'Rain Forest' Algebra Course Teaches Everything but Algebra*

Marianne Jennings

<http://mathematicallycorrect.com/rainbow.htm>

[15] *Math Programs in Arizona: $X + Y = F$*

Marianne Jennings

<http://mathematicallycorrect.com/addison.htm>

[16] *More on Addison-Wesley Focus on Algebra*

Richard Askey

<http://mathematicallycorrect.com/aw.htm>

[17] *A Failure to Produce Better Students*

Robert Byrd, D-West Virginia

Senate - June 09, 1997 Page: S5393 Congressional Record

<http://www.intres.com/math/byrd.htm>

[18] *Texas Adopts Textbook Rejected by Nation*

Chris Patterson

<http://www.tppf.org/edu/rain.htm>

[19] *Mathematics Framework for the 1996 National Assessment of Educational Progress*

National Assessment Governing Board

<http://www.nagb.org/pubs/math/mathcont.html>

[20] *Man of Science Has a Problem With Real Math*

Debra Saunders, San Francisco Chronicle, Dec. 19, 1997

[www.sfgate.com/cgi-](http://www.sfgate.com/cgi-bin/chronicle/article.cgi?file=ED67991.DTL&directory=/chronicle/archive/1997/12/19)

[bin/chronicle/article.cgi?file=ED67991.DTL&directory=/chronicle/archive/1997/12/19](http://www.sfgate.com/cgi-bin/chronicle/article.cgi?file=ED67991.DTL&directory=/chronicle/archive/1997/12/19)

[21] *Comments on the Luther Williams Letter*

Ralph A. Raimi, University of Rochester

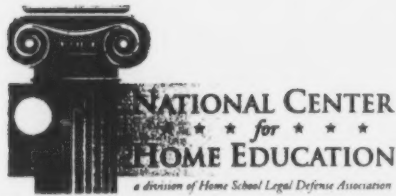
<http://mathematicallycorrect.com/gross.htm>

[22] *AFT Criteria for High-Quality Standards*

American Federation of Teachers

<http://www.aft.org/hqcrit.htm>

**APPENDIX H -- WRITTEN STATEMENT OF CHRISTOPHER J. KLICKA, EXECUTIVE
DIRECTOR, HOME SCHOOL LEGAL DEFENSE ASSOCIATION, PURCELLVILLE,
VIRGINIA**



MICHAEL P. FARRIS, ESQ.
PRESIDENT

J. MICHAEL SMITH, ESQ.
VICE PRESIDENT

CHRISTOPHER J. KLICKA, ESQ.
EXECUTIVE DIRECTOR

DOUGLAS W. DOMENECH
DIRECTOR OF GOVERNMENT AFFAIRS

NAGB and NAEP Reauthorization Hearing Before the House Subcommittee on Early Childhood, Youth and Families

Testimony of Christopher J. Klicka, Esq.
The National Center for Home Education

June 11, 1998

My name is Christopher J. Klicka and I presently serve as Senior Counsel of the Home School Legal Defense Association and Executive Director of the National Center for Home Education. For the last 13 years, I have worked in the area of education law—in the courts, state legislatures, and Congress. I have drafted state legislation and testified before state legislative committees in many states regarding testing and other issues of concern to home schoolers. I have worked with dozens of state boards and departments of education and thousands of local school districts to resolve conflict over educational issues involving home school families.

One of the National Center for Home Education's goals is to limit the federal role in education and return such powers to the states. We are concerned that the gradual expansion of NAEP and the increasing role of NAGB will lead to nationalizing education standards, curriculum, and testing.

The members of this committee are aware that the concept for a national student achievement indicator first originated in 1963 when the Commissioner of Education decided to collect

1

EXPRESS & SHIPPING • 17333 PICKWICK DRIVE • PURCELLVILLE, VA 20132
NATIONAL OFFICE • P.O. Box 3000 • PURCELLVILLE, VA 20134 • 540.338.7600 • 540.338.9333 FAX
CAPITOL HILL OFFICE • 119 C STREET, S.E. • WASHINGTON, DC 20003 • 202.547.9222 • 202.547.6655 FAX

information on the state of the nation's schools. By 1969 NAEP was created in order to survey the long-term trends in pupil achievement by measuring this progress of a sampling of students in the nation's schools, primarily in the area of Reading, Writing, Math, and Science. By 1988, NAEP's role was significantly expanded, authorizing development of state assessments which could be used by the states to test their students. At this time, NAGB was also organized for the purpose of overseeing and setting policy for NAEP. Finally, in 1994 Congress expanded the data that NAEP could collect and authorized state assessments as a regular feature of NAEP.

The direction is clear. The expansion of NAEP and NAGB is leading us into a nationalizing of education testing, standards, and eventually, curriculum.

We represent nearly 60,000 home school families throughout the nation. They do not want national education standards and testing dictated by the federal Department of Education. Home schoolers and a majority of Americans want local control of education.

Recently, an unprecedented outcry has arisen against President Clinton's proposal to create a national test. Both the House and the Senate have passed bans prohibiting the development and implementation of such a national test. However, I believe that the gradual expansion of the NAEP survey into more and more subject areas covering more and more students is undermining the clear mandate from Congress and the people against national testing and national education standards.

NAEP Is Evolving Into a National Test

In 1988, Congress passed the Hawkins-Stafford amendments which expanded NAEP to provide state-by-state reporting. In the spring of 1990, 40 states and territories participated in a

NAEP mathematics assessment. In 1992, the state assessments continued with math at grade eight and math and reading at grade four. In 1994, NAEP state level assessments were given in reading at grade 4. In 1998, NAEP plans a reading level assessment in both grades four and eight.

In 1996, 94,142 students took NAEP's "Main" assessment, and 29,798 students took the "Long Term" NAEP. In that same year 355,851 students in 43 states plus the District of Columbia took the state-developed test.

NAEP is beginning to shape state testing policy.

In February of 1998, the New York State Department of Education announced that they were replacing their 15-year-old Pupil Evaluation Program (PEP) with a new assessment. They specifically changed the testing schedule to fourth and eighth grades in order to pattern it after the NAEP state assessment conducted by the U.S. Department of Education in the fourth and eighth grades. The results of the two tests will be compared and subsequent adjustments made to the New York tests.

The National Center for Home Education, this week, surveyed a number of States' Departments of Education in order to determine the impact of NAEP on education policy in their state. In Georgia, the NAEP Coordinator of Testing and Evaluation indicated discussions were taking place about making the NAEP state assessment the primary assessment in the future.

In Michigan, the NAEP Coordinator for the Michigan Educational Assessment Progress indicated NAEP was used to affect education policy. In some states, the State Departments of Education chose and mandated certain school districts to participation in NAEP.

On February 28, 1997, University of Kansas Professor John Poggio, in a meeting to discuss national testing at the U.S. Department of Education's Office of Educational Research and

Improvement, declared, "There is a sense, I think, we all recognize that what gets tested is what gets taught." He further told the Department of Education, "And you're saying you're not controlling American curriculum? All of us here will sit and tell you what we put on those booklets is what gets the attention of the teachers. You are altering what is going to be taught. You need to be aware of that."

At the same meeting, Rebecca Kopriva of the Delaware Department of Education echoed those sentiments, "We can't afford [at the state level] to have our tests to be significantly different than yours [national test]—even if we think it is significantly better—because this is going to drive a lot of what we're doing."

States are already in the process of making adjustments to their testing and education policies in light of the NAEP state assessment. By default, NAEP, as it is applied to a growing number of students through the NAEP state assessments, will create national standards and a national curricula. Poggio was right—what gets tested is what will be taught.

NAEP Is Gradually Expanding the Subjects Tested

At its inception in 1969, NAEP's purpose was to take a sampling of students' progress in primarily the areas of Reading, Writing, Math, and Science. Through subsequent amendments to this legislation, the NAEP survey was expanded History, Civics, Arts, Economics, and Foreign Languages. NAEP will not only eventually dictate standards and curricula in the mechanical areas of Reading, Writing, Geography, and Arithmetic, but it is reaching into many value-laden areas such as History, Civics, Arts, and Economics. States beginning to require NAEP's state assessments in

these subject areas as well. Where will it stop? What extent of influence will the federal Department of Education through NAGB have over our entire educational system? Is NAEP leading us to less federal control of education, or more? Congress needs to narrow the subject areas tested.

Problems with the Background Questionnaire

In addition to taking the tests, students must fill out a background questionnaire. NAGB is gradually changing the nature of the background questions which accompany the NAEP tests. Presently, information is collected on race, gender, language spoken in the home, homework habits, participation in federal programs for disadvantaged, and experience with the subject area. Recommendations have been made to include family income, parental occupation, and post-secondary educational plans, among others.

Much of this background information is raising questions with many and is only minimally useful for analysis purposes. Such an invasion of students' privacy should not continue. The amount of background information collected must be reduced in order to make NAEP more cost efficient and enable a quicker turnaround time for publishing the test scores.

NAGB: The National School Board?

NAGB's 25-member board, appointed by the Secretary of Education, develops the framework for this testing, hires consultants to create the questions, and retains the authority to finally approve the questions. NAGB selects subject areas to be assessed, develops student

performance levels, develops assessment objectives, develops standards for interstate, regional, and national comparisons and takes actions needed to improve form and use of the National Assessment. In essence, NAGB is acting like a national school board in ultimately dictating what is taught in our schools to our children by controlling these. An appointed 25-member board, rather than an elected 435-member Congress, is shaping the future of education in America. NAGB's authority, established in 1988, needs to be curbed and limited by Congress through statute.

Recommended Solutions

We recommend the following amendments:

1. In 10 U.S.C. § 9010 (b), the purpose of the national assessment should be limited to provide "a fair and accurate presentation of educational achievement in reading, writing, and math." The language which states "and the other subjects included in the third National Education goal" should be deleted. Congress needs to restore NAEP to its original limited scope of subjects and avoid value-laden subject areas.
2. Also in subsection (b), all references to the authority of NAGB to create state assessments should be removed. Americans want local control of education. Let the states and localities create and implement their own state assessments without the direction and control of the federal education bureaucracy.
3. Congress should narrow its priorities to focus on using NAEP's "Long Term" assessment rather than its "Main " assessment. The content of the "Long Term" assessment does not change over time, allowing for the assessment of year-to-year changes and measure long

term trends. The "Long Term" assessment monitors Reading, Writing, Math, and Science. The "Main" assessment, on the other hand, is too vague since its content and structure is regularly revised to reflect more current views and practices in instruction and curriculum.

This shift in focus would restore the earlier purpose of NAEP to measure long-term trends in pupil achievement for the nation as a whole, for four regions, and for groups of pupils categorized by sex, race/ethnicity, and geographic location.

4. "Background information" should be specifically limited to traditional demographic reporting variables, specifically delineated and defined by Congress. This will curb the endless curiosity of Department of Education bureaucrats and limit federal invasion of privacy by NAGB. This type of information must not be allowed to grow into a national database of students tested.
5. Congress should add language that would specifically prohibit the NAEP assessments from being redesigned by NAGB as a national individualized test. Such language should say:

"Notwithstanding any other provision of federal law, funds provided the Department for an applicable program or for NAEP assessments should not be used to develop, plan, implement, or administer any national individualized testing program."

Conclusion

NAEP needs to be cut back to its limited purpose established in 1969. In its present expanded form, NAEP testing will lead to a national curriculum, influencing the content of textbooks and teaching materials. NAEP state assessments will conflict with state standards and force them to be adjusted to conform to the NAEP test. To allow the continued expanded use of NAEP tests is a waste

of money since there are many national private and state tests already being administered which accurately measure student progress throughout the states. Expanding NAEP testing is unneeded. Parents want real education reform. In debate on the House floor, House Education and Workforce Committee Chairman Rep. Bill Goodling stated in opposition to national testing, "You don't make cattle fatter by weighing them on the scales more often." Let us return all aspects of education—especially testing—back to local control.

Thank you for your time and consideration of this important matter.

**APPENDIX I -- WRITTEN STATEMENT OF AMBROSIA E. RODRIGUEZ, ESQUIRE,
MEXICAN AMERICAN LEGAL DEFENSE AND EDUCATIONAL FUND,
WASHINGTON, DC**

**Mexican American
Legal Defense
and Educational Fund**

1518 K Street N.W.
Suite 410
Washington, DC 20005
(202) 626-4074
FAX: (202) 363-4306



MALDEF

**TESTIMONY
OF THE
MEXICAN AMERICAN LEGAL DEFENSE AND EDUCATIONAL FUND**

CONCERNING

**NATIONAL ASSESSMENT EDUCATION PROGRAM
AND
NATIONAL ASSESSMENT GOVERNING BOARD**

SUBMITTED TO THE

**SUBCOMMITTEE ON EARLY CHILDHOOD, YOUTH AND FAMILIES
COMMITTEE ON EDUCATION AND THE WORKFORCE**

JUNE 11, 1998

BY

**MR. AMBROSIO E. RODRIGUEZ
LEGISLATIVE STAFF ATTORNEY**

National Office
634 S. Spring Street
Los Angeles, CA 90014
Telephone: (213) 629-2512
FAX Legal: (213) 629-0266
FAX Non Legal: (213) 629-9120

Regional Offices:
540 E. Dearborn Street
Suite 750
Chicago, IL 60605
(312) 427-9383
FAX: (312) 427-9390

182 Second Street
2nd Floor
San Francisco, CA 94105
(415) 543-5599
FAX: (415) 543-8295

The Book Building
140 E. Houston Street
Suite 300
San Antonio, TX 78205
(210) 224-5478
FAX: (210) 224-5362

1518 K Street N.W.
Suite 410
Washington, DC 20005
(202) 626-4074
FAX: (202) 363-4306

Satellite Offices: Sacramento - El Paso - Fresno

Contributions Are Tax Deductible

BEST COPY AVAILABLE

INTRODUCTION

Good morning, my name is Ambrosio E. Rodriguez; I am an attorney with the Mexican American Legal Defense and Educational Fund (MALDEF). MALDEF is a national organization that protects and advances the civil rights of the over 27 million Latinos in the United States. On behalf of Latinos, we focus primarily on education, employment and economic development, immigrants' rights, political access, and public resource equity issues. We use a variety of approaches to ensure that Latinos are empowered to participate fully in this society: public policy advocacy, mid-career leadership development, parental leadership development, scholarships, and impact litigation.

I appreciate the opportunity to testify on this first-ever comprehensive evaluation of the National Assessment Education Program (NAEP) and National Assessment Governing Board (NAGB). This review is important because, unfortunately, there was not sufficient time spent on the 1994 reauthorization to properly discuss and explore the issues and complications that surround this subject matter. Moreover, there has been insufficient Congressional oversight since both NAGB was established in 1988 and development state assessments were authorized in 1990. As such, we welcome this hearing as an opportunity for Congress to determine the purposes and scope of NAEP and the boundaries of NAGB's authority and actions.

GENERAL CONCERNS WITH PRACTICE AND IMPLEMENTATION OF NATIONAL ASSESSMENT

MALDEF agrees with the goal that our children should be held to high standards. Schools, school districts, and states should be held accountable for the educational progress of all children, and well-informed parents should be key participants in ensuring a quality education for their children. We value a national commitment to education and particularly to a remedy for the unacceptably high dropout and low college attendance rate of Latino students.

Although we agree in theory with the concept of a national assessment, we are concerned with its practice and implications. First, we are concerned about the role of NAEP tests should they have high-stakes consequences or become the basis for a voluntary national test. If the latter, are we as a nation prepared to implement a national curriculum? If NAEP becomes the national test then it will become the national benchmark for success. The items on the NAEP will become the national curriculum. A national curriculum would be the logical conclusion of a national high-stakes test because any parent, child, school, and school district would want to do well on such a national benchmark. However, there is no national consensus on what should constitute a national curriculum.

A perfect example of the divide between NAEP's national curriculum standard and the reality of what is currently happening in America's schools is the 8th grade mathematics test designed by NAEP. In a letter to the Chairman of the House Committee on Education and the Workforce, the Honorable William F. Goodling, NAGB stated that the 8th grade

test includes "geometry and algebra."¹ Unfortunately, according to the Department of Education, only 27% of white, 20% of black, and 20% of Hispanic 8th graders have taken algebra I,² which means that none of these students have taken geometry or algebra II. In other words, even those students that are fortunate enough to be placed in advanced classes, such as algebra I, cannot possibly meet the standards that have been set by NAEP. It is laudatory to encourage all 8th graders to complete algebra I and II as well as geometry, but until that becomes the rule and not the exception, NAEP is setting-up a large percentage of students to fail.

IMPACT OF A NATIONAL CURRICULUM ON LOCAL CONTROL AND INNOVATION

Adopting a national curriculum through the NAEP test would impact local control and innovation, two aspects of the American school model that have worked to the advantage of students. A national curriculum would discourage local schools from developing innovative programs that push their students to explore new ideas and academically grow through analyzing different subject matter because the success or failure of any school would be based on its NAEP score. Local schools will become fixated on a curriculum that only prepares the students for the exam. This is a dangerous proposition since there is no agreement, outside of the NAGB, that a national curriculum constitutes sound education policy. It is sufficiently problematic to adopt a national test with unaccepted standards but to complement this test with a curriculum that will be taught

¹ National Assessment Governing Board Letter to Chairman William F. Goodling, December 30, 1997.

² Mathematics Equals Opportunity, White Paper prepared for U.S. Secretary of Education Richard W. Riley, October 30, 1997.

throughout the entire nation seems to be a premature and unnecessary experiment with the future of our children. Local schools depend on innovation to meet the ever-changing needs and challenges of their students. Moreover, in a country as large and diverse as ours different localities have different emphasis. The curriculum in San Francisco is different from the the curriculum in Buffalo which is different from the curriculum in Miami. A national curriculum implemented to match the NAEF test would unwisely exchange innovation for blind conformity.

Educators are building a consensus around what should constitute as a national standards and curriculum framework, and how we should teach those standards. One of NAGB's goals is a set of frameworks for a ten-year period. It would be highly premature and counterproductive to allow NAGB to implement national standards before educators come to a consensus as to what should constitute national standards. To implement standards to which no one has agreed would only serve to add to the controversy among educators, parents, and politicians over what knowledge is to be assessed.

WHAT IS NEEDED FOR AN EFFECTIVE ASSESSMENT

In order for a national test to serve as an effective assessment of student achievement its purpose and uses must be clearly defined. If the purposes and uses are not defined it has a direct negative impact on the validity, reliability, and ultimate usefulness of the test because there will not be a consistent measurement. The test should also be fully developed and uniformly administered. These are high standards to meet, and according to the National Research Council (NRC), the NAGB's redesign proposal does not meet any of

these standards. The NRC reported that NAGB lacks a clear decision of the priorities regarding NAEP's audience, information needs, measurement and administration design.³ Until the NAGB can establish a program that meets these important touchstones of validity, reliability, and utility, it seems unwise to move forward with a national assessment test.

IMPLEMENTATION CONCERNS AND THE EDUCATION OF LEP AND MINORITY STUDENTS

If NAEP is to become our national curriculum how will it be taught at schools, who will get the materials, how will the teachers be trained and who will pay for it? The implementation of a national curriculum that prepares students for an assessment test raises serious question over the fundamental opportunity of limited English proficient students (LEP) and minority students to learn. Unfortunately, the schools attended by LEP and minority children are highly underfunded, segregated, and underserved. These schools cannot afford the extra costs associated with this test. If poor urban and rural schools are to meet these new standards, they should be funded to train their teachers, buy new schoolbooks and any other related expense before the NAEP goes into effect. If students cannot prepare they cannot succeed, and their failure will only become a self-fulfilling prophecy as these schools continue in a circle of poverty and under-achievement.

Another shortcomings of NAEP is its failure to properly test and include LEP students. We are concerned that NAEP's 4th grade reading test will not adequately assess the progress of LEP students. The 4th grade reading test does not adequately include LEP students and thus sends the wrong message about the importance of education for all

³ National Research Council, *Evaluation of "Redesigning the National Assessment of Educational Progress"* (1997).

children and all parents by leaving out a whole segment of the student population. The total number of LEP students in our public schools has surpassed 3 million.⁴ The 8th grade math test will be developed in both English and Spanish. Most LEP students, however, are in the primary grades which means that in order to properly assess their reading skills they should be tested in a language they understand. For example, in the Los Angeles Unified School District, 60% of fourth graders are LEP. Under the national test, local school staff will have sole discretion to determine the English test-taking capacity of LEP fourth grade students and may exclude those students who have not received English language instruction for more than three years. However, the opposite is true for eighth grade LEP students -- if they have received more than three years of English instruction, they are prohibited from taking the Spanish version of the test. As you can see the inconsistencies are troubling and produce real barriers to assessing the true academic development of LEP students.

These seemingly contradictory rules have been justified on the theory that the fourth grade reading test is not really a reading test, but only a reading test in English. This formulation simply camouflages the differential treatment of LEP students and English speakers. For English speakers there is no difference between a reading test and a reading test in English. For LEP students these distinctions are very real. Schools and school districts must constantly assess the progress that LEP students make in learning English and in mastering the core curriculum. At some point, these two objectives coalesce, generally when the student has been redesignated as fully English proficient. Until then, these dual objectives guide the educational program and must be independently assessed by the schools.

⁴ National Center for Education Statistics (1997).

Thus, a test that purports to measure a LEP student's level of English fluency must be validated for that purpose.

Compounding these difficulties is the absence of a consensus on what constitutes LEP status. In 1994, the Evaluation Assistance Center East at George Washington University surveyed all 50 state assessment directors to document assessment policies and practices and develop policy recommendations for LEP students. The report found that: (1) there is no common operational definition used by states to identify English-language learners; (2) only about 80 percent of states have assessment policy pertaining to these students; (3) most states allow exemptions for English-language learners and only 33 percent report that actual number of these students assessed in their state; (4) only 4 states report disaggregated scores of English-language learners, while 24 states report that they do not usually but could report disaggregated scores.⁵ Since states have different definitions and criteria for LEP and the determination of exclusion has been left to school officials the result is a large variation in the data reported at the federal level. Thus, although most states collect some data on LEP students, we currently cannot make state-to-state or state-to-nation comparisons.

In the administration of the 1994 math NAEP test, when accommodations were not offered, only about half of the LEP students took the test.⁶ When accommodations were offered—including one-on-one testing, extended time, and bilingual tests—over 70 percent of LEP students in fourth and eighth grade were tested.⁷ Such startling results from the

⁵ National Research Council, *Improving Schooling for Language-Minority Children*, 282-83, (1997).

⁶ Education Daily, August 30, 1995.

⁷ Education Daily, February 28, 1997.

inclusion of LEP students in the national tests can only pay similar dividends in full participation by all students in the educational system.

It is unwise public and education policy to exclude LEP students by failing to develop and provide a fourth grade reading test in Spanish. A national reading test can and should be developed in Spanish. If NAGB fails to develop a test for LEP students it further proves that NAGB and the states are not on the same page and there is no national consensus. Five states with large LEP populations currently provide psychometrically equivalent assessment programs in languages other than English: Texas, Arizona, Hawaii, New Mexico and New York. In fact, Texas already administers a psychometrically sound literacy test for fourth graders in Spanish and English. Since adequate accommodations are already provided by states with large LEP populations, it does not seem unreasonable to require that a federal assessment test do the same. To exclude LEP students from a national reading test would only perpetuate the exclusion of these students from the educational mainstream. Their exclusions means that it becomes more difficult to assess their needs, achievements, and progress. A national test that purports to be a catalyst for change through the dissemination of data cannot simply exclude over three million children without serious harm to the national effort as well as to the excluded group.

TABLE OF INDEXES

Blanton, 2, 5, 6, 7, 8, 9, 10, 11, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 24, 25
Castle, 12, 13, 14, 15, 25
Doorey, 26, 28, 45, 46, 48
Kildee, 15, 16, 17
Klicka, 38, 41, 42
Martinez, 1, 9, 10, 11, 12, 23, 24
Riggs, 1, 2, 5, 6, 7, 8, 9, 12, 15, 17, 18, 19, 20, 21, 23, 24, 25, 28, 31, 32, 35, 37, 38, 41, 42, 44,
45, 46, 47, 48, 49, 50, 51
Rodriguez, 42, 44, 50
Schwartz, 35, 38, 47, 48
Snowwhite, 32, 35, 50, 51
Truby, 20, 21, 24
Ward, 29, 31, 32, 46, 47, 49

○

ISBN 0-16-057803-5



90000



9 780160 578038